United Nations CTOC/COP/2018/1*

Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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Ninth session
Vienna, 15–19 October 2018

Annotated provisional agenda

Provisional agenda

1. Organizational matters:
   (a) Opening of the ninth session of the Conference;
   (b) Election of officers;
   (c) Adoption of the agenda and organization of work;
   (d) Participation;
   (e) Adoption of the report of the Bureau on credentials;
   (f) General discussion.
2. Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto:
   (a) United Nations Convention against Transnational Organized Crime;
   (b) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
   (c) Protocol against the Smuggling of Migrants by Land, Sea and Air;
   (d) Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition.
3. Other serious crimes, as defined in the Convention, including new forms and dimensions of transnational organized crime.
4. International cooperation, with particular emphasis on extradition, mutual legal assistance and international cooperation for the purpose of confiscation, and the establishment and strengthening of central authorities.
5. Technical assistance.
6. Financial and budgetary matters.
7. Provisional agenda for the tenth session of the Conference.
8. Other matters.
9. Adoption of the report of the Conference on its ninth session.

* Reissued for technical reasons on 2 August 2018.

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Annotations

1. Organizational matters

(a) Opening of the ninth session of the Conference

The ninth session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime will be opened on Monday, 15 October 2018, at 10 a.m.

At the opening of the session, time will be allowed for opening statements by the Chairs of the regional groups and high-level speakers. These statements are to be made from the podium.

Requests to register a high-level speaker for the opening session may be addressed to the secretariat via email using the contact email address provided in the invitations. Requests should be sent at the latest by noon on Friday, 5 October 2018, as protocol arrangements for the high-level speakers need to be made in advance.

(b) Election of officers

In accordance with rule 22 of the rules of procedure for the Conference, at the opening of each session, a President, eight Vice-Presidents and a Rapporteur are to be elected from among the representatives of the States parties that are present at the session and are to serve as the officers of the session. In electing the officers of the session, each of the five regional groups shall be represented by two officers, one of whom is to be from among the representatives of the States that are parties to the Organized Crime Convention and to one or more, and if possible all, of the Protocols to the Convention. The Bureau shall include at least two representatives of States that are parties to all the instruments.

In accordance with paragraph 3 of rule 22, the offices of President and Rapporteur of the Conference shall normally be subject to rotation among the five regional groups. Thus, at the ninth session, the President of the Conference and one Vice-President is to be nominated by the Group of Western European and other States; the Group of Latin American and Caribbean States is to be asked to nominate one Vice-President and the Rapporteur; and States of the other regions are to be asked to nominate two Vice-Presidents each.

(c) Adoption of the agenda and organization of work

At its eighth session, held in Vienna from 17 to 21 October 2016, the Conference adopted the provisional agenda for its ninth session in decision 8/1 (CTOC/COP/2016/15, chap. I.B).

Also at its eighth session, the Conference adopted decision 8/2 on the organization of the work of the ninth session of the Conference, in which it decided that the ninth session should take place over five working days; that the number of meetings should remain the same as for the previous sessions, that is, 20 meetings, with interpretation in the six official languages of the United Nations; and that a decision should be taken at the end of the ninth session on the duration of the tenth session.

Furthermore, in its decision 6/3 on the organization of work for future sessions of the Conference, the Conference decided that, starting with the seventh session, the firm deadline for the submission of draft resolutions would be two weeks prior to the commencement of the relevant session, and that the deadline for the submission of draft resolutions emanating from the working groups, which meet concurrently with the plenary of the Conference, would be on Thursday at noon, provided that the duration of the session was five working days.

Also in its decision 6/3, the Conference decided that, for future sessions of the Conference, starting with the seventh session, the Conference would be preceded by informal pre-session consultations, without interpretation, to be held on the working day preceding the first day of the Conference, which would provide an opportunity

for States to engage in informal consultations on draft resolutions and, inter alia, the provisional agenda for the subsequent session of the Conference.

In accordance with Conference decision 6/3, the firm deadline for the submission of draft resolutions for consideration at the ninth session of the Conference is Monday, 1 October 2018. The informal pre-session consultations will be held on Friday, 12 October 2018. Draft resolutions should be submitted as early as possible in order to enable productive discussions during the pre-session consultations.

At its meeting held on 25 May 2018, the extended Bureau of the Conference agreed on the proposed organization of work of the ninth session of the Conference (see annex).

Documentation

Annotated provisional agenda (CTOC/COP/2018/1)

(d) Participation

Rule 14 of the rules of procedure for the Conference provides that, subject to prior written notification to the Secretary-General, any State or regional economic integration organization that is a signatory to the Convention in accordance with its article 36, paragraphs 1 and 2, shall be entitled to participate in the Conference as an observer.

Rule 15 of the rules of procedure provides that any other State or regional economic integration organization that has not signed the Convention in accordance with its article 36, paragraphs 1 and 2, may apply to the Bureau for observer status, which shall be accorded unless otherwise decided by the Conference.

Rule 16 of the rules of procedure provides that, subject to prior written notification to the Secretary-General, representatives of entities and organizations that have received a standing invitation from the General Assembly to participate as observers in the sessions and work of all international conferences convened under its auspices, representatives of United Nations bodies, specialized agencies and funds, as well as representatives of functional commissions of the Economic and Social Council, shall be entitled to participate as observers in the deliberations of the Conference. Representatives of any other relevant intergovernmental organization may also apply to the Bureau for observer status, which shall be accorded unless otherwise decided by the Conference. At its fifth session, the Conference decided that the intergovernmental organizations listed in conference room paper CTOC/COP/2010/CRP.7 would receive a standing invitation under rule 16, paragraph 2, of the rules of procedure, to attend future sessions of the Conference.

Rule 17 of the rules of procedure provides that relevant non-governmental organizations having consultative status with the Economic and Social Council may apply to the Bureau for observer status, which should be accorded unless otherwise decided by the Conference. Should relevant non-governmental organizations not having consultative status with the Council apply for observer status, the secretariat will circulate a list of such organizations in accordance with rule 17. Furthermore, at its fifth session, the Conference decided to continue to allow non-governmental organizations to participate in the sessions of the Conference, in line with the rules of procedure and past practice (see CTOC/COP/2010/17, chap. II.D).

(e) Adoption of the report of the Bureau on credentials

Rule 18 of the rules of procedure, on the submission of credentials, sets out the following:

> "1. The credentials of representatives of each State Party and the names of the persons constituting the State Party's delegation shall be submitted to the secretariat if possible not later than twenty-four hours in advance of the opening of the session.

"2. Any later change in the composition of the delegation shall also be submitted to the secretariat.

"3. The credentials shall be issued by the Head of State or Government, by the Minister for Foreign Affairs or by the Permanent Representative to the United Nations of the State party in accordance with its domestic law or, in the case of a regional economic integration organization, by the competent authority of that organization.

"4. When the Conference is to consider proposals for amendments to the Convention in accordance with article 39 of the Convention and rule 62 of the rules of procedure for the Conference, the credentials shall be issued either by the Head of State or Government or by the Minister for Foreign Affairs of the State party or, in the case of a regional economic integration organization, by the competent authority of that organization."

Under rule 19 of the rules of procedure, the Bureau shall examine the credentials and submit its report to the Conference.

Under rule 20 of the rules of procedure, pending a decision of the Bureau on their credentials, representatives shall be entitled to participate provisionally in the session. Any representative of a State party to whose admission another State party has made objection shall be seated provisionally with the same rights as other representatives of States parties until the bureau has reported and the Conference has given its decision.

During the eighth session of the Conference, the extended Bureau of the Conference considered the issue of credentials in accordance with rule 19 and decided that the parties that had not yet submitted their credentials by the end of the eighth regular session would have an additional four weeks after the conclusion of that session to do so. At its meeting on 21 October 2016, the extended Bureau also decided that, at future sessions of the Conference, such an extension would not be provided. Therefore, for the ninth session of the Conference, States parties are kindly reminded that proper credentials should be presented at the time of registration; States parties that wish to participate provisionally in the ninth session will have until noon on Friday, 19 October 2018 to present proper credentials to ensure that their participation is recorded officially. Templates for the preparation of proper credentials will be made available on the dedicated pages of the ninth session of the Conference on the UNODC website.

(f) General discussion

Under sub-item 1 (f), entitled "General discussion", time will be allowed for statements on general matters related to the implementation of the Convention that may be of interest to the Conference. These statements are to be made from the floor.

A list of speakers for the general discussion will be kept by the secretariat; the list will be opened on Monday, 3 September and closed promptly at noon on Monday, 15 October 2018. Requests for inclusion in the list of speakers for the general discussion may be addressed to the secretariat via email using the contact email address provided in the invitations.

Speakers will be added to the list on a first-come, first-served basis on the understanding that priority will be given to representatives of ministerial or similar rank. Speakers are requested to limit their statements to three minutes.

2. Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

(a) United Nations Convention against Transnational Organized Crime

In its resolution 8/2 on the mechanism for the review of the implementation of the Organized Crime Convention and the Protocols thereto, the Conference recalled that the Convention and its Protocols represented the principal worldwide legal

instruments to combat the scourge of transnational organized crime, which affected individuals and societies in all countries, and reaffirmed their importance as the main tools available to the international community for that purpose.

In the same resolution, the Conference reaffirmed that the purpose of the Convention and the Protocols thereto was, inter alia, to promote cooperation to prevent and combat transnational organized crime more effectively, and stressed the need to take additional concerted action to reinforce the implementation of the Convention and the Protocols thereto by States parties and to identify related technical assistance needs.

Also in its resolution 8/2, the Conference decided to continue the process of establishing the mechanism for the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto based on the recommendations contained in the report on the open-ended intergovernmental meeting to explore all options regarding an appropriate and effective review mechanism for Convention and the Protocols thereto, held in Vienna on 6 and 7 June 2016.

Furthermore, in the same resolution, the Conference requested the United Nations Office on Drugs and Crime (UNODC) to convene, within existing resources from the regular budget and without prejudice to other mandated activities, at least one open-ended intergovernmental meeting, with interpretation, for the purpose of defining the specific procedures and rules for the functioning of the review mechanism, and invited States parties to remain engaged in the process, including during the intersessional period.

On 11 April 2017, the President of the eighth session of the Conference, Pilar Saborío de Rocafort (Costa Rica), confirmed that she would be chairing the open-ended intergovernmental meeting for the purpose of defining the specific procedures and rules for the functioning of the review mechanism that was to be held in Vienna from 21 to 23 March 2018, with the support of Maria Assunta Accili Sabbatini (Italy), Vice-President of the Conference.

Meetings for the purpose of defining the specific procedures and rules for the functioning of the review mechanism for the Convention and the Protocols thereto have been convened three times in Vienna, from 24 to 26 April 2017, from 30 October to 1 November 2017 and from 21 to 23 March 2018. The reports on those meetings will be made available to the Conference at its ninth session (see CTOC/COP/2018/7).

Under agenda item 2, the Conference will have before it information on the status of ratification of the Convention and the Protocols thereto, and related notifications, declarations and reservations (CTOC/COP/2018/CRP.1).

In addition, also in accordance with the mandate contained in Conference resolution 8/2, the working groups of the Conference have begun preparing self-assessment questionnaires to review the implementation of the Organized Crime Convention and its three Protocols. Further information on that work will be provided in the reports on the meetings of the working groups, which will be made available to the Conference at its ninth session.

Documentation

Note by the Secretariat on the reports on the meetings for the purpose of defining the specific procedures and rules for the functioning of the review mechanism for the United Nations Convention against Transnational Organized Crime and the Protocols thereto, held in Vienna from 24 to 26 April 2017, from 30 October to 1 November 2017 and from 21 to 23 March 2018 (CTOC/COP/2018/7)

Conference room paper entitled "Status of ratification of the United Nations Convention against Transnational Organized Crime and its Protocols and notifications, declarations and reservations thereto" (CTOC/COP/2018/CRP.1)

(b) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children

In its decision 4/4, the Conference decided to establish an open-ended interim working group to advise and assist it in the implementation of its mandate with regard to the Trafficking in Persons Protocol.

In its resolution 7/1, the Conference decided that the Working Group on Trafficking in Persons would be a constant element of the Conference of the Parties, forwarding its reports and recommendations to the Conference, and requested the Secretariat to continue assisting the working groups of the Conference in the performance of their functions.

The Working Group on Trafficking in Persons held its seventh meeting from 6 to 8 September 2017 and its eighth meeting on 2 and 3 July 2018. In accordance with resolution 7/1, the report on those meetings will be made available to the Conference at its ninth session (see CTOC/COP/2018/5).

In addition, the Conference will have before it for its consideration a report of the Secretariat on the activities of UNODC to promote and support the implementation of the Trafficking in Persons Protocol (CTOC/COP/2018/2).

Documentation

Report of the Secretariat on the activities of UNODC to promote and support the implementation of the Trafficking in Persons Protocol (CTOC/COP/2018/2)

Note by the Secretariat on the reports on the meetings of the Working Group on Trafficking in Persons held in Vienna from 6 to 8 September 2017 and on 2 and 3 July 2018 (CTOC/COP/2018/5)

(c) Protocol against the Smuggling of Migrants by Land, Sea and Air

In its resolution 6/3 on the implementation of the Smuggling of Migrants Protocol, the Conference called upon States parties to continue to review and, as appropriate, strengthen their relevant legislation, including criminal legislation, and establish as criminal offences the acts covered by the Smuggling of Migrants Protocol and the Organized Crime Convention, including by introducing appropriate sanctions commensurate with the nature and gravity of the offence. The Conference requested UNODC to continue its technical assistance and capacity-building efforts, in coordination and cooperation with bilateral assistance providers and other relevant international organizations that assist States parties, upon request, in implementing the Smuggling of Migrants Protocol, and to assist States, upon request, in ratifying or acceding to the Protocol.

In its resolution 7/1, the Conference decided that the Working Group on Smuggling of Migrants would be a constant element of the Conference of the Parties, forwarding its reports and recommendations to the Conference, and requested the Secretariat to continue assisting the working groups of the Conference in the performance of their functions.

The Working Group on the Smuggling of Migrants held its fourth meeting from 11 to 13 September 2017 and its fifth meeting on 4 and 5 July 2018. Both were held in Vienna. The reports will be made available to the Conference at its ninth session (see CTOC/COP/2018/6).

In addition, the Conference will have before it a report of the Secretariat on the activities of UNODC to promote and support the implementation of the Smuggling of Migrants Protocol (CTOC/COP/2018/3).

Documentation

Report of the Secretariat on the activities of UNODC to promote and support the implementation of the Smuggling of Migrants Protocol (CTOC/COP/2018/3)

Note by the Secretariat on the reports on the meetings of the Working Group on the Smuggling of Migrants held in Vienna from 11 to 13 September 2017 and on 4 and 5 July 2018 (CTOC/COP/2018/6)

(d) Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition

In its resolution 7/2 on the importance of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, the Conference noted that reducing the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition is one of the major components of the efforts to reduce the violence that accompanies the activities of transnational organized criminal groups, and expressed the conviction that there is a need to strengthen international cooperation and the sharing of information to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

Also in resolution 7/2, the Conference recalled that the Convention and, in particular, the Firearms Protocol were among the principal global legal instruments to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

In its resolution 8/3, the Conference welcomed the commitment made by Member States in the 2030 Agenda for Sustainable Development to significantly reduce illicit arms flows in their efforts to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

In the same resolution, the Conference requested UNODC to continue to assist States parties, upon request, in their efforts to strengthen their firearms control regime, consistent with the Firearms Protocol, in particular in the areas of legislative development; firearms identification, seizure, confiscation and disposal; technical support for marking, record-keeping and tracing; and training and capacity-building in the investigation and prosecution of related crimes, with a view to preventing, combating and eradicating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

For its consideration of sub-item 2 (d), the Conference will have before it a report of the Secretariat on the activities of UNODC to promote and support the implementation of the Firearms Protocol (CTOC/COP/2018/4).

Moreover, the reports on the fifth meeting of the Working Group on Firearms, held in Vienna from 8 to 10 May 2017, and on its sixth meeting, held in Vienna on 2 and 3 May 2018, will be made available to the Conference at its ninth session (see CTOC/COP/2018/8).

Documentation

Report of the Secretariat on the activities of UNODC to promote and support the implementation of the Firearms Protocol (CTOC/COP/2018/4)

Note by the Secretariat on the reports on the meetings of the Working Group on Firearms held in Vienna on 8 to 10 May 2017 and on 2 and 3 May 2018 (CTOC/COP/2018/8)

3. Other serious crimes, as defined in the Convention, including new forms and dimensions of transnational organized crime

In its resolution 6/1, the Conference noted with concern the emergence of new forms and dimensions of transnational organized crime, reaffirmed that the Convention, as a global instrument with wide adherence, offered broad scope for cooperation to address existing and emerging forms of transnational organized crime, and recognized

the need for accurate information on global crime trends and patterns, including on new and emerging forms of organized crime, and the need to improve the quality, scope and completeness of data relating to organized crime.

In addition, in its resolution 7/4, entitled "Implementation of the international cooperation provisions of the United Nations Convention against Transnational Organized Crime", the Conference expressed concern that transnational organized crime had diversified globally and that new and emerging forms required effective responses that depended upon strengthened international cooperation in criminal matters, including through the development of channels for timely cooperation.

Moreover, in its resolution 7/3, the Conference endorsed the recommendation adopted by the Working Group of Government Experts on Technical Assistance at its meeting held from 28 to 30 October 2013 that UNODC, subject to the availability of extrabudgetary resources, should continue the development of technical assistance tools, for the Convention and the Protocols thereto and on specialized issues. In accordance with that recommendation, UNODC has prepared a guide on drafting legislation to combat wildlife crime, which is aimed at facilitating States' review and amendment of existing legislation and adoption of new legislation to counter wildlife crime in line with the Organized Crime Convention and other relevant international conventions. It is envisaged that the guide will be formally launched during the ninth session of the Conference.

No documentation is currently foreseen under agenda item 3.

4. International cooperation, with particular emphasis on extradition, mutual legal assistance and international cooperation for the purpose of confiscation, and the establishment and strengthening of central authorities

In its resolution 8/1, entitled "Enhancing the effectiveness of central authorities in international cooperation in criminal matters to counter transnational organized crime", the Conference urged States parties to afford one another the greatest measure of assistance, in accordance with the provisions of the Convention, as well as their domestic laws, and encouraged States parties, consistent with their national legal frameworks, to make the widest possible use of the Convention as a basis for international cooperation.

In the same resolution, the Conference strongly encouraged States parties to facilitate engagement between and among central authorities in person, including through regional networks, or by virtual means, and urged States parties, including in collaboration with UNODC, to promote training and technical assistance to facilitate international cooperation under the Convention.

Also in resolution 8/1, the Conference requested the Secretariat to report to the Conference at its ninth session on the implementation of that resolution.

For its consideration of agenda item 4, the Conference will have before it a report of the Secretariat on the activities of UNODC to promote the implementation of the provisions on international cooperation in the Convention (CTOC/COP/2018/10).

Moreover, in its resolution 7/1, the Conference requested the Secretariat to continue assisting the working groups in the performance of their functions and encouraged the working groups to consider meeting on an annual basis, as needed, and to hold their meetings consecutively, in order to ensure the effective use of resources.

The eighth meeting of the Working Group on International Cooperation and the tenth meeting of the Working Group of Government Experts on Technical Assistance were held back to back in Vienna from 9 to 13 October 2017; the ninth and eleventh meetings of those working groups, respectively, were held back to back in Vienna from 28 to 31 May 2018. The reports on those meetings will be made available to the Conference at its ninth session (see CTOC/COP/2018/9).

The tenth meeting of the Working Group on International Cooperation will be held in Vienna on 16 October 2018, in parallel with the ninth session of the Conference.

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Documentation

Note by the Secretariat on the reports on the meetings of the Working Group on International Cooperation and the Working Group on Technical Assistance held in Vienna from 9 to 13 October 2017 and from 28 to 31 May 2018 (CTOC/COP/2018/9)

Report of the Secretariat on the activities of UNODC to promote the implementation of the provisions on international cooperation in the United Nations Convention against Transnational Organized Crime (CTOC/COP/2018/10)

5. Technical assistance

In its resolution 7/3, entitled "Implementation of the provisions on technical assistance of the United Nations Convention against Transnational Organized Crime", the Conference noted that technical assistance was a fundamental part of the work carried out by UNODC to assist Member States in the effective implementation of the Convention and the Protocols thereto.

For its consideration of agenda item 5, the Conference will have before it a report of the Secretariat on the provision of technical assistance to States in the implementation of the Convention and the Protocols thereto (CTOC/COP/2018/11).

Moreover, the Conference will have before it the reports on the meetings of the Working Group on International Cooperation and the Working Group on Technical Assistance held in Vienna from 9 to 13 October 2017 and from 28 to 31 May 2018, as mentioned under agenda item 4 above (see CTOC/COP/2018/9).

Documentation

Note by the Secretariat on the reports on the meetings of the Working Group on International Cooperation and the Working Group on Technical Assistance held in Vienna from 9 to 13 October 2017 and from 28 to 31 May 2018 (CTOC/COP/2018/9)

Report of the Secretariat on the provision of technical assistance to States in the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto (CTOC/COP/2018/11)

6. Financial and budgetary matters

In its resolution 55/25, the General Assembly decided that, until the Conference decided otherwise, the account referred to in article 30 of the Organized Crime Convention would be operated within the United Nations Crime Prevention and Criminal Justice Fund, and encouraged Member States to begin making adequate voluntary contributions to the above-mentioned account for the provision to developing countries and countries with economies in transition of the technical assistance that they might require for the implementation of the Convention and its Protocols, including for the preparatory measures needed for that implementation.

In accordance with rule 72 (Preparation of a budget) of the rules of procedure for the Conference, the secretariat is to prepare a budget for the financing of the activities of the Conference related to technical cooperation undertaken in accordance with articles 29–32 of the Convention, article 10 of the Trafficking in Persons Protocol, article 14 of the Smuggling of Migrants Protocol and article 14 of the Firearms Protocol and communicate it to the States parties at least 60 days in advance of the opening of the regular session at which the budget is to be adopted. In accordance with rule 73 (Adoption of the budget) of the rules of procedure, the Conference shall consider and decide on the budget prepared pursuant to rule 72.

Documentation

Note by the Secretariat on financial and budgetary matters (CTOC/COP/2018/12)

7. Provisional agenda for the tenth session of the Conference

The Conference is to consider and approve a provisional agenda for its tenth session, which is to be drawn up by the secretariat in consultation with the Bureau.

8. Other matters

As no issues to be raised under agenda item 8 have come to the attention of the secretariat, no documentation regarding this item is currently foreseen.

9. Adoption of the report of the Conference on its ninth session

The Conference is to adopt a report on its ninth session, the draft of which will be prepared by the secretariat in coordination with the Rapporteur.

Annex

Proposed organization of work

Date time	*Plenary*	*Parallel meeting*
Monday, 15 October		
10 a.m.–1 p.m.	Item 1 (a). Opening of the session Item 1 (b). Election of officers Item 1 (c). Adoption of the agenda and organization of work Item 1 (d). Participation Item 1 (e). Adoption of the report of the Bureau on credentials Item 1 (f). General discussion	
3–6 p.m.	Item 2. Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto Item 2 (a). Organized Crime Convention	
Tuesday, 16 October		
10 a.m.–1 p.m.	Item 2 (b). Trafficking in Persons Protocol	Working Group on International Cooperation
3–6 p.m.	Item 2 (c). Smuggling of Migrants Protocol	Working Group on International Cooperation (*continued*)
Wednesday, 17 October		
10 a.m.–1 p.m.	Item 2 (d). Firearms Protocol	
3–6 p.m.	Item 3. Other serious crimes, as defined in the Convention, including new forms and dimensions of transnational organized crime	
Thursday, 18 October		
10 a.m.–1 p.m.	Item 4. International cooperation, with particular emphasis on extradition, mutual legal assistance and international cooperation for the purpose of confiscation, and the establishment and strengthening of central authorities	
3–6 p.m.	Item 5. Technical assistance	
Friday, 19 October		
10 a.m.–1 p.m.	Item 5. Technical assistance (*continued*)	
3–6 p.m.	Item 6. Financial and budgetary matters Item 7. Provisional agenda for the tenth session of the Conference Item 8. Other matters Item 9. Adoption of the report of the Conference on its ninth session	

Conference of the Parties to the United Nations Convention against Transnational Organized Crime

Distr.: General
23 July 2018

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Ninth session
Vienna, 15–19 October 2018
Item 2 (b) of the provisional agenda*
Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children

Activities of the United Nations Office on Drugs and Crime to promote and support the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

Report of the Secretariat

I. Introduction

1. The present report seeks to inform the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, at its ninth session, about the activities of the United Nations Office on Drugs and Crime (UNODC) to promote and support the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, since the eighth session of the Conference, in October 2016.

2. The Trafficking in Persons Protocol has a total of 173 parties. Since the eighth session of the Conference of the Parties, in 2016, Fiji, Japan, Maldives and the State of Palestine have become parties to the Protocol.

3. During the reporting period, the main achievements of UNODC in relation to supporting States in the implementation of the Protocol included the following:

- Through its Global Programme against Trafficking in Persons, the Office organized or contributed to 65 major technical legislative assistance and/or capacity-building activities at the global, regional and national levels. More than 1,200 practitioners, governmental officials, and civil society representatives in more than 24 countries were beneficiaries of those technical cooperation activities;
- Through its Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants, a programme being implemented in 13 countries,

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the Office organized or contributed to 63 activities addressing trafficking in persons exclusively and 38 activities addressing both trafficking in persons and the smuggling of migrants;

- Two standard-setting, practitioner-oriented technical tools were developed, and work was begun on three more;
- A total of 181 case briefs were added to the Human Trafficking Case Law Database, which at the time of reporting contained details and analysis of 1,492 trafficking in persons cases from 106 jurisdictions.

II. Activities to assist States in the implementation of the Protocol

4. UNODC implements a comprehensive strategy to combat trafficking in persons and the smuggling of migrants, prioritizing the following areas: (a) provision of technical expertise for the implementation of the Trafficking in Persons Protocol and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime; (b) support for intergovernmental and inter-agency cooperation and coordination; (c) research and data collection on trafficking in persons, in particular through the biennial *Global Report on Trafficking in Persons*; and (d) management of the United Nations voluntary trust fund for victims of trafficking in persons, especially women and children.

5. On the basis of this strategy, UNODC continued to provide significant and diverse support to Member States in their efforts to implement the Trafficking in Persons Protocol, in particular by advancing normative work and carrying out technical cooperation activities.

A. Normative and policy work and inter-agency cooperation and coordination

6. UNODC provided strategic and substantive support to intergovernmental bodies and processes and continued to cooperate closely with other United Nations agencies, as well as regional intergovernmental and non-governmental organizations, in promoting the objectives of the Trafficking in Persons Protocol and fostering synergies and partnerships to that end.

1. Supporting intergovernmental bodies

Conference of the Parties to the United Nations Convention against Transnational Organized Crime

7. UNODC serviced and provided substantive support to two meetings of the Working Group on Trafficking in Persons, established by the Conference. For the consideration of the Working Group at its seventh meeting, held in Vienna from 6 to 8 September 2017, the Office drafted a technical background paper to facilitate policy discussions on the topic of effective criminal justice responses to trafficking in persons centred on addressing the protection and assistance needs of different groups and types of victim, with particular reference to victims of trafficking within mixed migration movements (CTOC/COP/WG.4/2017/2). UNODC also assisted the Working Group by preparing a draft questionnaire for the review of the implementation of the Trafficking in Persons Protocol, in accordance with Conference resolution 8/2 (CTOC/COP/WG.4/2017/3).

8. For the consideration of the Working Group at its eighth meeting, held on 2 and 3 July 2018, UNODC drafted a technical background paper addressing international cooperation in cases of trafficking in persons with a focus on the needs and rights of victims (CTOC/COP/WG.4/2018/2). At the meeting, the Working Group also considered the preparation of the questionnaire for the review of the implementation

of the Trafficking in Persons Protocol, in accordance with Conference resolution 8/2. For that purpose, UNODC made available a non-paper containing the draft questionnaire, which included the suggestions and comments made during the seventh meeting of the Working Group (CTOC/COP/WG.4/2018/CRP.1).

Commission on Crime Prevention and Criminal Justice

9. The Commission on Crime Prevention and Criminal Justice, at its twenty-sixth session, in 2017, recommended for adoption by the Economic and Social Council a draft resolution on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons; the resolution was subsequently adopted by the Council (E/RES/2017/18).

10. At the twenty-seventh session of the Commission, held in 2018, UNODC provided substantive support to Member States in discussions leading to the adoption of three resolutions: resolution 27/2, on preventing and combating trafficking in persons facilitated by the criminal misuse of information and communications technologies; resolution 27/3, on improving the protection of children against trafficking in persons, including by addressing the criminal misuse of information and communications technologies; and resolution 27/4, on strengthening measures against trafficking in persons. In those resolutions, the ratification and effective implementation of the Organized Crime Convention and the Trafficking in Persons Protocol were stressed, considering the central role of those instruments in the fight against trafficking in persons.

11. To promote the Protocol and share good practices related to its implementation, UNODC co-organized several side events during the twenty-sixth and twenty-seventh sessions of the Commission. On the margins of the twenty-sixth session, in 2017, UNODC held a side event entitled "Countering trafficking in persons and smuggling of migrants in the Horn of Africa: a multilateral approach", organized in collaboration with the German Agency for International Cooperation and the International Organization for Migration (IOM), and a side event on the Office's new tools to counter trafficking in persons and the smuggling of migrants, organized in collaboration with the Governments of Italy, Switzerland and the United States of America. On the margins of the twenty-seventh session, in 2018, UNODC, together with the Government of Colombia, held a side event on the theme "Crime prevention strategies to fight human trafficking: the experience of Colombia".

General Assembly

12. UNODC provided substantive support to Member States in discussions leading to the development and implementation of General Assembly resolutions relating to trafficking in persons, the implementation of the Trafficking in Persons Protocol and the Global Plan of Action to Combat Trafficking in Persons, as well as in responding to the associated increase in demand for related technical assistance.

13. At the high-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants, held in New York on 19 September 2016, the Assembly, in its resolution 71/1, adopted the New York Declaration for Refugees and Migrants, in which Heads of State and Government and High Representatives reaffirmed the importance of the Organized Crime Convention and its Protocols, and encouraged the ratification of, accession to and implementation of relevant international instruments on preventing and combating trafficking in persons. In the Declaration, States pledged to vigorously combat trafficking in persons and the smuggling of migrants with a view to eliminating those crimes, including through targeted measures to identify victims of trafficking in persons or those at risk of being trafficked, to provide support for the victims of trafficking in persons, and to work to prevent trafficking in persons among those affected by displacement. In addition, with a view to disrupting and eliminating the criminal networks involved, States undertook to review their national legislation to ensure conformity with their obligations under international law relating to trafficking in persons, and to implement the United

Nations Global Plan of Action. As a follow-up to the New York Declaration, the General Assembly decided to hold intergovernmental negotiations and conferences leading to the adoption of the Global Compact for Safe, Orderly and Regular Migration (see General Assembly resolutions 71/280 and 72/244).

14. At its seventy-first session, the General Assembly adopted two resolutions relating to trafficking in persons, namely, resolution 71/167, on trafficking in women and girls, and resolution 71/322, on strengthening and promoting effective measures and international cooperation on organ donation and transplantation to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs. In both resolutions, the General Assembly urged Member States to ratify or accede to the Organized Crime Convention and the Trafficking in Persons Protocol and to implement those instruments fully and effectively. In resolution 71/167, the Assembly stressed the need for the systematic collection of disaggregated data and for common methodologies and indicators, and in that regard took note of the publication of the *Global Report on Trafficking in Persons*, prepared by UNODC. In resolution 71/322, the Assembly requested the World Health Organization (WHO), in collaboration with UNODC and the Office of the United Nations High Commissioner for Human Rights (OHCHR), to develop international guidelines on the health, criminal and human rights aspects relating to trafficking in persons for the purpose of organ removal and trafficking in human organs.

15. At its seventy-second session, the General Assembly adopted two resolutions relating to trafficking in persons, namely, resolution 72/1, entitled "Political declaration on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons" and resolution 72/195, on improving the coordination of efforts against trafficking in persons. In both resolutions, the Assembly reaffirmed the importance of universal ratification of the Organized Crime Convention and the Trafficking in Persons Protocol and urged Member States that had not yet done so to consider ratifying or acceding to those instruments and to implement them fully and effectively. The high-level meeting of the General Assembly on the appraisal of the Global Plan of Action, held in New York on 27 and 28 September 2017, concluded with the adoption of the political declaration on the implementation of the Global Plan of Action. In that declaration, the States Members of the United Nations reaffirmed the central role of UNODC in the global fight against trafficking in persons, in particular in providing technical assistance to Member States, upon their request, by making use of the existing capacity-building tools, lessons learned from Member States and expertise available in other organizations. Furthermore, UNODC was requested to continue collecting information on patterns, forms and flows of trafficking in persons at the national, regional and international levels, to be published in the *Global Report on Trafficking in Persons*. In resolution 72/195, the General Assembly urged Member States and other stakeholders, including the Inter-Agency Coordination Group against Trafficking in Persons (ICAT), to continue to contribute to the full implementation of the Global Plan of Action. In the same resolution, the Assembly expressed support for the activities of UNODC, encouraged its cooperation with relevant international organizations and invited Member States to make voluntary contributions to the Office for providing assistance to Member States upon request. The Assembly furthermore requested UNODC to convene a principal-level meeting of ICAT and to continue to encourage contributions by States and other stakeholders to the United Nations voluntary trust fund for victims of trafficking in persons, especially women and children.

16. Also at its seventy-second session, the General Assembly adopted resolution 72/179, on protection of migrants, in which it called upon States to ensure that their laws and policies relating to combating transnational organized crime, such as trafficking in persons, fully respect the human rights of migrants, and encouraged States to cooperate effectively in protecting witnesses and victims in cases of trafficking in persons, regardless of their migration status. In the same resolution, the Assembly also encouraged Member States to take further effective measures to combat trafficking in persons, strengthen international cooperation to prevent,

investigate and combat such trafficking, and to identify and disrupt financial flows related to trafficking crimes.

Security Council

17. Following the first-ever meeting of the Security Council on trafficking in persons, in December 2015, UNODC coordinated the preparation of the report of the Secretary-General on the implementation of measures to counter trafficking in persons (S/2016/949), in which the Secretary-General proposed to the Security Council a number of recommendations to strengthen the response against the phenomenon.

18. On 20 December 2016, the Security Council adopted resolution 2331 (2016), in which it called upon Member States that had not yet done so to consider ratifying or acceding to the Organized Crime Convention and the Trafficking in Persons Protocol and to fully implement them. The Council also called for the continued support of UNODC in providing technical assistance upon request to Member States to investigate, disrupt and dismantle networks involved in trafficking in persons in the context of armed conflict, and encouraged UNODC and other relevant United Nations and non-United Nations entities and bodies to continue to support Member States' efforts in that regard, including through the exchange of information and the strengthening of networks for regional and international cooperation. UNODC also coordinated the preparation of the report of the Secretary-General on trafficking in persons in armed conflict pursuant to Security Council resolution 2331 (2016) (S/2017/939), in which the Secretary-General described the efforts undertaken by Member States, United Nations entities and relevant international bodies to improve their response to trafficking in persons in the context of armed conflict. In the report, the Organized Crime Convention and the Trafficking in Persons Protocol were referred to as providing the basis for a common understanding of trafficking in persons and a widely accepted legal framework to enhance international cooperation in that regard.

19. On 21 November 2017, the Security Council adopted resolution 2388 (2017), in which it urged Member States to consider ratifying or acceding to, and for States Parties to effectively implement, the Organized Crime Convention and the Trafficking in Persons Protocol. In the same resolution, the Council welcomed further briefings on trafficking in persons in the context of armed conflict by relevant United Nations entities, including UNODC, and encouraged Member States to provide to UNODC information on victims of trafficking from areas affected by conflict or victims trafficked into conflict areas for inclusion within the existing reporting obligations. The Security Council also requested the Secretary-General to ensure that the thematic paper on trafficking in persons in conflict situations, developed by UNODC, would be disseminated within the United Nations system. UNODC is currently preparing the draft report of the Secretary-General on the implementation of Council resolution 2388 (2017). The Executive Director of UNODC briefed the Security Council on several occasions (December 2016 and March and November 2017) on trends in trafficking in persons in areas affected by armed conflict and the response made by UNODC.

2. Participation in inter-agency and regional coordination and cooperation mechanisms

20. UNODC collaborates closely with other intergovernmental organizations, both within and outside the United Nations system, and is active at both the international and regional levels. The Office has signed several memorandums of understanding with organizations with key mandates and expertise in preventing and combating trafficking in persons, allowing for the exchange of information and the development of joint projects. UNODC also regularly engages with non-governmental organizations and academia, for instance, through its regular participation in thematic events and discussions.

21. UNODC frequently participates in conferences and meetings organized by other international organizations active in preventing and combating trafficking in persons, such as the INTERPOL Global Trafficking in Human Beings Conference, held in October 2016; the Vienna Migration Conference, organized by the International Centre for Migration Policy Development (ICMPD) in November 2016; and the IOM Educational Seminar on Migration, held in July 2017.

Inter-Agency Coordination Group against Trafficking in Persons

22. UNODC continued to act as the coordinator of ICAT, which at the time of reporting had 23 member or partner entities. The chairmanship of ICAT was assumed by OHCHR in 2017, and by the United Nations Children's Fund (UNICEF) in 2018.

23. During the reporting period, the activities of ICAT were guided by an annual workplan developed and implemented jointly by the organizations that together form the expert-level body of the Group, referred to as the "working group". Its current members are the following organizations: Council of Europe, ICMPD, International Labour Organization (ILO), IOM, OHCHR, Office of the Special Representative of the Secretary-General for Sexual Violence in Conflict, Organization for Security and Cooperation in Europe (OSCE), Office of the United Nations High Commissioner for Refugees (UNHCR), UNICEF, UNODC and United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

24. ICAT substantially increased its activities during the reporting period. In 2016, it published an issue paper on building effective counter-trafficking responses using accumulated knowledge and a shared approach to monitoring, evaluation and learning, as well as a toolkit for guidance in designing and evaluating counter-trafficking programmes. Also in 2016, ICAT launched a new series of succinct guidance materials, referred to as issue briefs. The briefs touch upon topical issues and current concerns, such as the differences between trafficking in persons and the smuggling of migrants, trafficking in persons in humanitarian crises, the gender dimensions of trafficking in persons, trafficking in persons and refugee status, and trafficking and the Sustainable Developments Goals. All ICAT products are easily accessible on the ICAT website, which has been available to Member States and relevant stakeholders since 2016.[1]

25. ICAT also contributed to relevant intergovernmental processes. The Group provided a well-received submission for the appraisal of the United Nations Global Plan of Action to Combat Trafficking in Persons, and organized an accompanying side event on the political declaration to the Global Plan of Action: the way forward, held in New York in September 2017. ICAT also contributed expertise to the zero draft plus of the Global Compact for Safe, Orderly and Regular Migration in March 2018.

26. In September 2017, the General Assembly, in its resolution 72/195, requested UNODC to convene the first-ever meeting of ICAT at the principal level. The meeting, held in London on 2 May 2018, enjoyed a high level of participation, with representatives of 21 of the 23 ICAT member or partner entities attending, including 10 represented at the principal level. The principals in attendance confirmed their strong determination to work jointly to address critical trafficking-related issues with a single voice and to contribute to key policy developments at the global level. The meeting also laid a solid foundation for the Group's continued development into a robust inter-agency mechanism that is equipped to participate more effectively and efficiently in global efforts to combat trafficking in persons. As requested by the General Assembly, ICAT member entities held briefings for Member States in Vienna and New York in June 2018, and further events were to be convened throughout the remainder of the year.

[1] All ICAT publications are available at http://icat.network/publications.

Global Migration Group

27. UNODC is an active member of the Global Migration Group, the inter-agency group that brings together heads of agencies to promote the wider application of all relevant instruments relating to migration and encourage the adoption of more coherent, comprehensive and better coordinated approaches. UNODC has remained active and committed to the Group by contributing to joint Group statements, papers and events on migration-related issues, including the Summit for Refugees and Migrants, held on 19 September 2016, the development of the Global Compact for Safe, Orderly and Regular Migration, and the consultations held in follow-up to the Secretary-General's report on making migration work for all (A/72/643). UNODC also participated in the meetings of the principals of the Global Migration Group in 2017 and 2018, during which heads of organizations discussed the Group's support for the various processes and instruments relating to migration.

28. Moreover, UNODC is an active member of the Global Migration Group's Working Group on Migration, Human Rights and Gender, which has addressed, among other issues, the human rights concerns of smuggled migrants and the right of access to justice for migrants who are victims of crimes. In that framework, UNODC contributed substantially to the publication entitled *Principles and Guidelines, Supported by Practical Guidance, on the Human Rights Protection of Migrants in Vulnerable Situations*. The set of principles contains advice to States on how to operationalize the international human rights framework governing protection of migrants in vulnerable situations, including protection from the risk of being subject to forced labour or trafficking in persons.

29. In 2016 and 2017, as part of the consultation phase in the development of the Global Compact for Safe, Orderly and Regular Migration, UNODC was assigned the lead role in drafting the Group's input to the Secretary-General's issue brief for the fifth informal thematic session for the development of the Global Compact, on the smuggling of migrants, trafficking in persons and contemporary forms of slavery, and the concept note for the Office of the President of the General Assembly, for the same session. Furthermore, UNODC also supported the second informal interactive multi-stakeholder hearing for the development of a global compact on migration, held in Geneva on 11 October 2017, and moderated a panel discussion at the hearing on the topic "Smuggling of migrants, trafficking in persons and contemporary forms of slavery".

Cooperation with regional organizations and processes

30. In Europe, UNODC collaborates closely with OSCE, the European Union and the Council of Europe. UNODC is a member of the OSCE Alliance against Trafficking in Persons and participates every year in the annual conference of the Alliance (including in 2016, 2017 and 2018). During the reporting period, UNODC representatives participated in specific meetings of those bodies, such as the OSCE conference on preventing trafficking in human beings for labour exploitation in supply chains, held in September 2016, and the Council of Europe regional expert workshop on enhancing international legal cooperation in the fight against trafficking in human beings and the protection of victims' rights, held in November 2017.

31. In Africa, UNODC continued to be an active partner of the African Union-Horn of Africa Initiative, as well as an observer of the Euro-African Dialogue on Migration (Rabat Process) and the European Union-Horn of Africa Migration Route Initiative (Khartoum Process), both of which are aimed at addressing, among other issues, trafficking in persons. In addition, UNODC contributed substantially to a trilateral thematic meeting of representatives of the African Union-Horn of Africa Initiative, the Khartoum Process and the Rabat Process on trafficking in and smuggling of persons, focusing on unaccompanied minors. The meeting was organized by ICMPD and held in Luxor, Egypt, in November 2017. UNODC representatives also took part in the Joint Valletta Action Plan Senior Officials Meeting, held in Valletta in February 2017, at which officials from States in Africa and Europe reiterated the

importance of stepping up the fight against trafficking in persons and the smuggling of migrants in the context of the Joint Valletta Action Plan. UNODC has been contributing directly to the implementation of the Joint Valletta Action Plan, in particular its priority domain 4, on preventing and countering irregular migration, the smuggling of migrants and trafficking in persons, through activities carried out under its strategy for combating trafficking in persons and the smuggling of migrants in West and Central Africa (2015–2020). UNODC has implemented more than 25 projects and activities relating to trafficking in persons in the framework of the Rabat Process and the Khartoum Process.

32. Since July 2015, UNODC has been a member of the North Africa Mixed Migration Task Force, which is aimed at promoting a human rights-based approach to ensure the protection of people moving in mixed and complex flows along the north-eastern Africa migratory route, as well as in North Africa. The Task Force is designed to foster collaborative approaches among key stakeholders to address the serious protection and other issues faced by persons using those routes, with a view to informing policy and programme development.

33. In Asia, UNODC is a full member of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime and the ad hoc working group on human trafficking, which strengthens the regional response to the smuggling of migrants, trafficking in persons and related transnational crime. Along with approximately 48 other members, UNODC actively participates in regional dialogues and initiatives, such as the drafting of policy guides on victim identification and protection of victims of trafficking in persons. Furthermore, the Bali Process has endorsed UNODC projects such as the interregional Voluntary Reporting System on Migrant Smuggling and Related Conduct, which is aimed at strengthening the collection and sharing of data on the smuggling of migrants across the Asia and Pacific region. In addition, UNODC representatives participated in the Association of Southeast Asian Nations practitioners' workshop on international legal cooperation in trafficking in persons cases, held in Thailand in May 2017.

34. In the Americas, UNODC works with several United Nations bodies, including IOM, UNICEF and UNHCR, as well as with regional organizations, such as the Organization of American States, the Inter-American Commission on Human Rights, the Central American Integration System, the Caribbean Community and the Institute for Public Policy on Human Rights of the Southern Common Market, in advancing comprehensive national strategies, policies and actions to tackle trafficking in persons and the smuggling of migrants. As an example, UNODC participated in the public hearing on the human rights situation of the victims of trafficking in persons, organized by the Inter-American Commission on Human Rights and held in Uruguay in October 2017. UNODC also works with the Ibero-American Network of Specialized Prosecutors against Trafficking in Persons and the Smuggling of Migrants of the Ibero-American Association of Public Prosecutors to strengthen judicial cooperation, promote the exchange of good practices and contribute to the increase of investigations, prosecutions and adjudications in relation to such crimes.

3. Development of normative and policy guidance and tools

35. During the reporting period, UNODC continued to produce standard-setting, specialized materials for practitioners that provide guidance on how to detect, investigate and prosecute cases of trafficking in persons, as well as on how to provide protection and assistance to victims of trafficking and vulnerable migrants. In that connection, UNODC published the *Human Trafficking Toolkit for Journalists* (2017), available in English and Arabic, which serves as a resource to help the news media portray the complex nature of trafficking in persons in a fair, balanced and ethical manner. At the time of reporting, an issue paper on the international legal definition of trafficking in persons was being finalized and was expected to be published by the end of 2018. In addition, work continued on the development of a handbook on international legal cooperation in trafficking in persons, which was expected to be finalized in 2018.

36. UNODC continued to develop the Human Trafficking Knowledge Portal, which was launched in 2016 with the aim of facilitating the dissemination of information on the implementation of the Trafficking in Persons Protocol. The Portal is composed of three databases: a case law database, containing, as at July 2018, 1,492 cases from 106 jurisdictions; a database of legislation, containing, as at July 2018, 445 pieces of legislation representing 121 countries; and a bibliographic database containing 51 entries. The Portal supports States' prosecutorial efforts by increasing the visibility of successful prosecutions and promoting awareness of the realities of the crime of trafficking in persons.

37. UNODC has been drawing on the Case Law Database as a source of data to develop additional policy guidance materials and technical cooperation tools. For example, in 2017, UNODC published the case digest entitled *Evidential Issues in Trafficking in Persons Cases: Case Digest*, which is based on an in-depth analysis of approximately 135 cases from 31 jurisdictions extracted from the Case Law Database; the publication is aimed at equipping practitioners across different jurisdictions with solutions to respond to recurring and complex evidential issues. In the context of UNODC technical cooperation activities, the *Case Digest* has been used as a tool for specialized training focused on analysis and discussion of cases, for instance, in Tunisia in February 2018 and in Jordan in March 2018. The *Case Digest* has also been referred to in court decisions, such as in a 2017 court decision in South Africa.[2]

38. UNODC continued to publish biennial editions of the *Global Report on Trafficking in Persons*, which provides an overview of patterns and flows of trafficking in persons at the global, regional and national levels. The third edition of the report was published in December 2016 and the fourth edition is expected to be published by the end of 2018. The report is based on data collected by means of a questionnaire sent every year to Member States, and their replies include officially recorded information on cases of trafficking, detected victims and detected offenders in their respective countries. The report enables the identification of emerging trends and guides further research on critical issues. For example, findings from the report for 2016 indicated that cases involving trafficking for forced or sham marriages accounted for about 1.4 per cent of the total number of detected victims of trafficking. On that basis, in 2017, UNODC initiated work on an issue paper, to be made available in 2019, that will address the scope and different forms of, and effective responses to, marriage in the context of trafficking in persons.

B. Promoting and supporting the implementation of the Protocol through technical cooperation

39. With regard to technical assistance in countering trafficking in persons, UNODC provided, in response to requests from Member States, expertise in the following key areas: (a) legislative assistance; (b) criminal justice responses and international cooperation; (c) data collection and research; (d) prevention and awareness-raising; and (e) victim protection and support. UNODC conducted activities to support Member States in preventing and combating trafficking in persons, including mentoring and tailor-made technical cooperation, through headquarters and field offices across Africa, the Middle East, Asia, Europe and Latin America and the Caribbean.

40. Through its Global Programme against Trafficking in Persons, during the reporting period, UNODC organized or substantively contributed to 58 major technical cooperation activities, including legislative assistance and capacity-building activities, thereby assisting more than 24 countries and training more than 1,500 criminal justice practitioners and government officials in effectively

[2] Regional Court for the Regional Division of Kwazulu-Natal, *The State and Makhosini Mathews Fakudze (case No. 41/942/16)*

investigating and prosecuting trafficking in persons cases while providing appropriate support to victims.

41. In addition, through the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants, during the reporting period, UNODC carried out more than 100 activities focused either exclusively on trafficking in persons, or on both trafficking in persons and the smuggling of migrants. Those activities included training to build the capacities of practitioners and officials, such as labour inspectors, diplomatic and consular staff, social workers and traditional leaders, assessments and regional workshops to build prosecution strategies, and the development of tailor-made curricula in cooperation with national judicial training academies. The activities were conducted in the following 13 strategically-selected participating countries: Belarus, Brazil, Colombia, Egypt, Kyrgyzstan, Lao People's Democratic Republic, Mali, Morocco, Nepal, Niger, Pakistan, South Africa and Ukraine.

1. Legislative assistance and development of national strategy and coordination

42. UNODC continued to provide Member States with tailor-made, specialized legislative assistance to develop effective national legislation in line with the requirements of the Trafficking in Persons Protocol and to ensure its full implementation. Moreover, UNODC carried out assessments of legislative needs, supported the drafting of legislation and provided policy advice to facilitate the effective implementation of the Protocol.

43. UNODC helped to formulate recommendations regarding the revision, where needed, of national legal frameworks enacted to prevent and combat trafficking in persons. For example, UNODC provided feedback (through the United Nations system) on the draft Trafficking in Persons Bill in India, which was introduced by the Government of India in 2016 and which, at the time of reporting, was pending adoption by the Parliament of India. Furthermore, in Bhutan, UNODC commissioned a legal and policy review to assess the gaps in the country's legal and policy framework, in line with relevant international instruments and standards. A report on the review was published and disseminated to key stakeholders, together with a set of recommendations, including on the need to ratify the Organized Crime Convention and its Protocols. UNODC conducted similar assessments in Uzbekistan and Turkmenistan involving the review of national criminal codes and laws related to combating trafficking in persons. The reviews led to the formulation of recommendations, which were then presented to and discussed with national stakeholders at various discussion forums.

44. Under the framework of the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants, UNODC conducted gap and needs assessments in the 13 participating countries (see para. 41 above), which included interviews with other stakeholders in the respective countries. The Office subsequently prepared reports for all 13 countries on the current situation of trafficking in persons and the smuggling of migrants; the reports contained recommendations and a suggested implementation plan to guide government authorities in developing action plans, including those related to legislative amendments. As an example of the Office's tailor-made assistance in that regard, in Kyrgyzstan, UNODC supported a parliamentary working group on trafficking in persons and provided expert advice on how to bring the legal definition of trafficking in persons as a criminal offence in line with the Trafficking in Persons Protocol. Following the adoption of the new Criminal Code and the amendment of the Law on preventing and combating trafficking in persons in Kyrgyzstan, UNODC carried out an assessment of the new provisions and subsequently organized two training courses for government officials and criminal justice practitioners to validate the assessment and the recommendations emanating from it.

45. UNODC further supported, upon the request of Member States, the establishment of coordination mechanisms at the national level. For instance, the

Office assisted Qatar in the establishment of a coordinated governmental entity to combat trafficking in persons, known since 2017 as the National Committee to Combat Human Trafficking, and organized two workshops in Greece in April 2017 on strengthening inter-agency cooperation, which focused on challenges and opportunities in relation to trafficking. The Office also supported Member States, for example, Panama and the Sudan, in the development of national strategies and action plans. Similarly, in Tunisia, UNODC continued to support the National Commission to Combat Trafficking in Persons of Tunisia in the development of a national strategy to combat trafficking in persons, which was subsequently adopted by the National Commission, but was, at the time of reporting, pending enactment by the Council of Ministers of Tunisia.

46. UNODC also worked with local authorities to engage them in the fight against trafficking in persons. In El Salvador, UNODC provided technical expertise to the Municipality of San Salvador in updating its municipal law on trafficking in persons to align it better with international law. In Colombia, UNODC supported 17 local committees in the process of designing and adopting annual action plans to combat trafficking in persons.

47. Moreover, in collaboration with the Pacific island States of Papua New Guinea, Tuvalu and Solomon Islands, UNODC organized a pre-accession workshop that examined obligations set out in the Trafficking in Persons Protocol.

2. Strengthening criminal justice responses

48. UNODC offers technical expertise aimed at strengthening the criminal justice response of Member States to the complex and multifaceted crime of trafficking in persons. In line with its holistic approach and in close cooperation with requesting Member States, UNODC undertakes, as required, an in-depth, baseline needs assessment at the outset of any technical cooperation activity. Activities are then tailored accordingly, to guarantee the sustainability of the assistance and strengthen national ownership. For example, such an approach was taken in organizing a workshop on trafficking in persons in the fishing industry in Indonesia in November 2016; preparations for the workshop included a needs assessment/mapping exercise and consultations.

49. UNODC continued to organize and contribute to technical assistance activities aimed at strengthening the comprehensive response to trafficking in persons. As global conviction rates are low, traffickers may, in many States, perpetrate crimes almost with impunity. As a consequence, UNODC organized and contributed to training programmes for criminal justice practitioners, in order to enhance the detection, investigation and prosecution of trafficking cases, while ensuring respect for victims' rights. To further increase the impact of its technical assistance activities, UNODC developed innovative training methods and reached out beyond traditional criminal justice actors to target new groups of practitioners.

50. With regard to innovative training methods, UNODC organized training courses focused on the analysis and discussion of cases from the *Case Digest* mentioned above. The participation in the courses of a diverse mix of actors engaged in combating trafficking in persons allowed for active and enriching exchanges of experience. Such training courses were, for instance, held in Jordan and Tunisia in March 2018. In addition, UNODC organized several training courses involving mock investigations or mock trials in Brazil, Colombia, Jordan and Nigeria, which enabled participants to identify good practices and lessons learned. In the Sudan, UNODC trained prosecutors on courtroom litigation skills using video-recorded training assessment and critique methods to improve the quality of prosecutions in trafficking cases and ensure respect for the right of the accused to a fair trial.

51. UNODC organized or participated in train-the-trainer workshops focused on the use of UNODC tools and learning modules, such as those comprising the UNODC *Anti-Human Trafficking Manual for Criminal Justice Practitioners*, to detect, investigate and prosecute cases of trafficking in persons using a victim-centred

approach. Such workshops were organized in Bolivia (Plurinational State of), Colombia, Jordan, Serbia, Suriname and Rwanda. Furthermore, UNODC supported the development of targeted training materials to assist national criminal justice practitioners. For example, in Kyrgyzstan and Turkmenistan, UNODC, in partnership with national authorities, developed tailor-made training manuals based on the globally-oriented *Anti-Trafficking Manual*.

52. UNODC extended the reach of its technical cooperation activities beyond traditional criminal justice practitioners by organizing or contributing to training courses involving recruitment agencies, diplomatic and consular personnel, social workers and labour inspectors, among others. For example, UNODC conducted a capacity-building workshop on trafficking in persons for social workers employed in the criminal courts in Morocco. Moreover, in Colombia, the Office supported the first meeting and establishment of a network of labour inspectors for strengthening the identification of trafficking cases and facilitated a workshop for leaders and members of traditional councils to develop their knowledge and capacity in relation to identifying trafficking cases and to referral mechanisms.

3. Promoting international cooperation

53. A sound criminal justice response to trafficking in persons requires partnerships and effective international cooperation. For this reason, international cooperation is a key element of the Office's criminal justice response to trafficking in persons and its technical assistance efforts. To further support international cooperation, UNODC is currently developing, on the basis of the *ASEAN Handbook on International Legal Cooperation in Trafficking in Persons Cases*, published in 2010, a handbook on the same topic, but with a global scope; it is expected to be finalized by the end of 2018.

54. In Central Asia, UNODC contributed to a series of regional workshops on international and regional cooperation in investigating and prosecuting trafficking in persons, held in Tajikistan and Uzbekistan in October 2016 and October 2017. The workshops offered participants the opportunity to present their respective legal frameworks, discuss the challenges they face at the national level, and develop international and regional cooperation arrangements. The second workshop led to the establishment of an informal regional network of experts consisting of law enforcement and prosecution practitioners from Afghanistan, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Turkmenistan and Uzbekistan.

55. In the Americas, UNODC supported the development and signing of a memorandum of understanding between the offices of the Attorneys General of Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras and Panama, with a view to strengthening operational international cooperation in trafficking cases. Furthermore, in 2017, UNODC organized the third meeting of the Ibero-American Network of Specialized Prosecutors against Trafficking in Persons and the Smuggling of Migrants, which contributed to the strengthening of judicial research and cooperation and the sharing of good practices. The meeting was attended by 20 public prosecutors, three crown prosecutors and several experts and investigators from 17 countries. The meeting led to the signing of a declaration on the use of regional cooperation tools, including UNODC tools, and to the revision of the Protocol on inter-institutional cooperation to strengthen the investigation of, attention to and protection of victims of the crime of trafficking in persons and the smuggling of migrants, adopted by the Ibero-American Association of Public Prosecutors.

56. In Africa, UNODC supported regional cooperation through the organization of a workshop for members of the Network of West African Central Authorities and Prosecutors against Organized Crime in December 2017. The workshop focused on international cooperation instruments and tools, such as the UNODC Mutual Legal Assistance Request Writer Tool, and regional cooperation in West Africa. In the workshop discussions, many participants emphasized the need to overcome challenges such as language and legal system differences, as well as the complexities of evidence collection in transnational organized crime cases.

4. Data collection and research

57. Knowledge and research concerning trafficking in persons at the national, regional and international levels are essential for strengthening the understanding of the crime and the human rights violations involved. Moreover, such knowledge and data are prerequisites for the development, implementation and evaluation of strategies to combat trafficking in persons and of evidence-based responses. Research and data collection shape the content of UNODC tools and materials created to facilitate implementation of the Trafficking in Persons Protocol by States parties and are adapted to meet country-specific needs and train relevant actors in their effective utilization.

58. In addition to the aforementioned recurring editions of the *Global Report on Trafficking in Persons*, which analyse the global patterns of trafficking in persons, UNODC has also published or initiated work on several specialized resources, such as the publication entitled *Evidential Issues in Trafficking in Persons Cases: Case Digest*, as well as two issue papers. Furthermore, as described above, the Human Trafficking Knowledge Portal was further developed during the reporting period.

59. The Office's research work addressed the implementation of target 16.2 of the Sustainable Development Goals ("End abuse, exploitation, trafficking and all forms of violence against and torture of children") and its corresponding indicator 16.2.2 (number of victims of trafficking in persons per 100,000 population, by sex, age and form of exploitation). UNODC and the Dutch National Rapporteur on Trafficking in Human Beings undertook joint research in 2017 to estimate the prevalence of trafficking in the Netherlands. The application of the multiple systems estimation methodology in that research enabled an estimate of the total number of trafficked persons to be derived on the basis of the number of detected cases. The methodology also produced estimates of the age and gender of victims of trafficking in persons, disaggregated by different forms of trafficking, including domestic and international trafficking, as well as trafficking for specific purposes of exploitation. The methodology was subsequently applied in three other countries; at the time of reporting, UNODC was awaiting approval to apply it in four more countries.

60. UNODC also assisted Member States in improving data collection on trafficking in persons. For instance, UNODC and the Government of Mexico finalized the development of a national information system on trafficking in persons, which is an Internet-based platform that enables the systematization of information on trafficking in persons, the identification of trends and routes, and the planning and implementing of targeted public policies, as well as follow-up on the services provided to victims. UNODC trained more than 200 government officials and representatives of civil society organizations in using the system and highlighted its added value. Similarly, in Colombia, UNODC supported the Ministry of Interior in developing and launching the country's National Information System on Trafficking in Persons, aimed at centralizing information on trafficking cases received by local criminal justice authorities. In Kyrgyzstan, UNODC organized, in partnership with the National Statistics Committee, a workshop on crime data collection that was attended by 50 specialists from governmental institutions and civil society organizations, and conducted an analysis of the national crime data collection system, which led to the adoption of a new crime data collection methodology. Those activities directly supported States in developing their capacity to collect and analyse information and data relating to trafficking in persons.

61. Furthermore, UNODC initiated research on trafficking in persons in the context of marriage, working together with experts from the European Institute for Crime Prevention and Control, affiliated with the United Nations. In that context, UNODC conducted a desk review of sources on the topic, as well as a number of in-country surveys. At an expert group meeting scheduled for November 2018, experts are expected to discuss an issue paper based on the findings of the desk review and the in-country surveys.

5. Crime prevention and awareness-raising

62. The Trafficking in Persons Protocol requires States parties to undertake prevention measures such as social and economic initiatives, research and awareness-raising campaigns targeting potential victims of trafficking and potential consumers of services provided by trafficked persons. The response to trafficking in persons calls for cooperation among a wide range of actors in designing and implementing such initiatives.

63. UNODC continues to participate in campaigns, exhibitions and other media events related to prevention and awareness-raising, in cooperation with Member States and key international organizations, the private sector, non-governmental organizations and other partners. UNODC has also undertaken specific efforts to extend the reach of such awareness campaigns and thus to increase their impact. As an example, in Bhutan, in collaboration with local partners, UNODC conducted several awareness-raising campaigns on trafficking in persons targeting vulnerable areas. The campaigns succeeded in reaching out to diverse groups, namely students, taxi and truck drivers, women working in the entertainment sector, hotel and restaurant employees, local officials and members of the lesbian, gay, bisexual and transgender community. The Office also encouraged the use of new methodologies to raise awareness. For instance, in South Africa in December 2017, UNODC representatives participated in the launch of the book *Wamama Chronicles*, developed by the non-governmental organization Fula Africa, which narrates the stories of women subjected to various forms of abuse at the hands of traffickers and smugglers while en route from Malawi to South Africa.

64. UNODC continued to raise awareness globally of its work to prevent trafficking in persons through the Blue Heart Campaign against Human Trafficking. In 2017, the Office strengthened its outreach efforts to representatives of Governments and the aviation and hospitality sectors, encouraging them to join the Blue Heart Campaign. At the time of reporting, the campaign had been adopted by 19 countries; the latest countries to join were Costa Rica, El Salvador, Guatemala, Jamaica and Zimbabwe. Other outcomes of the intensified outreach effort were the development of a strategic alliance with the International Air Transportation Association and an agreement by the Airport Council International to support the campaign. UNODC provided training to airline personnel and border control officials at airports to help them identify cases of trafficking in persons, and continued its discussions in that regard with various other airlines around the globe.

65. To better prevent trafficking in persons in the national context, the Blue Heart Campaign has been adapted for use at the country level. In Nigeria, for instance, the campaign was repurposed as the "I am priceless" campaign, which involved the broadcasting of short films, television spots and radio jingles, and which reached over 50 million viewers, listeners and readers. Furthermore, as part of the Blue Heart Campaign, UNODC launched a national school essay competition, which reached 62 schools and more than 100,000 pupils. In Mexico in July 2017, UNODC launched the campaign "#AQUIESTOY", which constitutes a call for action that encourages members of the public to think about their responsibilities as consumers of goods and services and to report the crime of trafficking in persons when they encounter it. In addition to producing and distributing videos, posters and leaflets, campaign workers also set up a dedicated website containing information on where to report trafficking crimes, including a national hotline, and how to further disseminate the campaign. Since its launch, the campaign has contributed to the rescue of dozens of potential victims of trafficking, as well as to an increase of 76 per cent in calls received by the national hotline.

66. Considering the important role of the media in raising awareness of the implications of trafficking in persons, in particular through reporting on trafficking cases, UNODC organized a number of training activities dedicated to journalists and media personnel, including training courses delivered in Algeria, Bahrain, the Sudan,

the United Arab Emirates and Qatar. In the training courses, frequent use was made of the UNODC *Human Trafficking Toolkit for Journalists*.

6. Protection and support of victims

67. A core element of the mandate of UNODC under the Trafficking in Persons Protocol is to increase the level of protection and assistance provided to victims of trafficking in persons, as set out in article 2, paragraph (b), and articles 6, 7, and 8 of the Protocol. As the guardian of the Protocol, UNODC assists countries in fully implementing a comprehensive response to trafficking by ensuring that structures are in place to convict traffickers and to address the realities experienced by the victims of such crimes.

68. Accordingly, UNODC advocates for a human-rights based and victim-centred approach. Victim protection is a key element of the UNODC criminal justice response to trafficking in persons and is always incorporated into the delivery of technical assistance. As an example of its advocacy efforts, the Office produced, in partnership with the Office of the General Prosecutor of Uzbekistan, a second edition of the training film entitled "Victims, not Villains", which is aimed at promoting victim-centred approaches to prosecution and adjudication of trafficking cases that are not prejudicial to victims' rights, dignity, or physical or psychological well-being. The film is expected to be used to train criminal justice practitioners in Central Asia.

69. During the reporting period, UNODC worked closely with relevant national governmental institutions and civil society organizations on safeguarding the rights of victims of trafficking.

70. UNODC supported Member States in providing assistance and protection to victims of trafficking. For instance, the Office supported a study visit of Bhutanese officials to Nepal to gather information on the experience of Nepal in operating shelters for victims of trafficking, in order to assist Bhutan in setting up a transit shelter. The Office also supported the development of national referral mechanisms for victims of trafficking, which are essential for clarifying roles and responsibilities and facilitating coordination among the different actors involved in a multidisciplinary response to trafficking in persons. As an example, UNODC supported the Government of Nigeria in developing and validating guidelines on national referral mechanisms for protection of and assistance to trafficked persons in Nigeria, and also supported the establishment of a similar mechanism in Bahrain. In addition, UNODC provided specialized training in the Sudan to the 22 members of the country's National Committee for Combating Human Trafficking on the development of a national referral mechanism for victims of trafficking.

71. UNODC engaged regularly with non-governmental organizations (NGOs) at specific events and meetings, such as the annual OSCE Alliance against Trafficking in Persons Conference, and provided training to human rights entities, NGOs and victim care providers on victim identification, support and protection, for instance, in Saudi Arabia and Morocco. Moreover, UNODC regularly benefited from its cooperation with NGOs and from the expertise contributed by their representatives at expert group consultations and training activities.

72. UNODC continued to provide direct financial support to NGOs that provide protection and assistance to victims of trafficking. In that connection, the United Nations voluntary trust fund for victims of trafficking in persons, especially women and children, managed by UNODC, had funded, as at May 2018, 34 NGO projects in 30 countries, providing $2 million in grants. Later in 2018, the fund is expected to allocate $1.5 million in grants to projects around the world, with priority to be given to projects that assist victims emerging from a context of armed conflict and those identified among large refugee and migration flows. As women and girls accounted for 71 per cent of all detected victims of trafficking in persons globally, at least 90 per cent of the funded projects supported women and girl victims who had been trafficked mainly for sexual exploitation. Support services targeting female beneficiaries included the provision of basic health and education, vocational

training, legal and psychosocial support services, emergency shelter, community reintegration and family reunification. Moreover, under the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants, UNODC organized calls for proposals aimed at funding the direct provision of assistance and reintegration services by civil society organizations to trafficked victims, smuggled migrants and other vulnerable migrants. The selection of recipient NGOs and projects has started in Brazil, Mali and Morocco, and further calls for proposals are planned to be issued in Belarus and South Africa.

III. Conclusions

73. In promoting the implementation of the Trafficking in Persons Protocol, in particular by providing technical assistance to Member States and fostering inter-agency cooperation, UNODC has consistently sought the active participation of relevant stakeholders at the international, regional and national levels.

74. Despite the progress made, trafficking in persons remains a pressing global problem, victimizing people and affecting all regions. UNODC will continue its efforts to promote and support the implementation of the Trafficking in Persons Protocol and to work jointly with Member States and international organizations, civil society and victims towards making the fight against trafficking in persons in all its forms ever more effective.

United Nations CTOC/COP/2018/3

Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto: Protocol against the Smuggling of Migrants by Land, Sea and Air

Activities of the United Nations Office on Drugs and Crime to promote and support the implementation of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime

Report of the Secretariat

I. Introduction

1. The present report has been prepared to inform the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, at its ninth session, about the activities undertaken by the United Nations Office on Drugs and Crime (UNODC) to promote and support the implementation of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, since the eighth session of the Conference, in October 2016.

2. The Smuggling of Migrants Protocol has a total of 146 parties. Since the eighth session of the Conference, Afghanistan, Côte d'Ivoire, Fiji and Japan have become parties.

3. Through its global and regional programmes, strategies and dedicated projects, UNODC supported Member States in implementing the Protocol using a comprehensive approach. In total, more than 65 Member States received pre-ratification, legislative and strategic support through the Office's field network. Moreover, under the Global Programme against the Smuggling of Migrants, UNODC organized or contributed to 26 legislative assistance and capacity-building activities, reaching over 700 practitioners, government officials and civil society representatives from more than 70 countries. Activities were also implemented under the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants in the 13 beneficiary countries of the initiative (Belarus, Brazil, Colombia, Egypt,

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Kyrgyzstan, Lao People's Democratic Republic, Mali, Morocco, Nepal, Niger, Pakistan, South Africa and Ukraine).

II. Activities to assist States in the implementation of the Smuggling of Migrants Protocol

4. UNODC implements a comprehensive strategy to combat the smuggling of migrants, through actions consisting of the provision of technical assistance for the implementation of the Smuggling of Migrants Protocol, support for intergovernmental and inter-agency cooperation and coordination and enhanced research and data collection.

A. Normative and policy work and inter-agency cooperation and coordination

5. UNODC provided strategic and substantive support to intergovernmental bodies and processes and continued to cooperate closely with other United Nations agencies, as well as regional intergovernmental and non-governmental organizations, to promote the objectives of the Smuggling of Migrants Protocol, ensure that its standards and obligations are better understood and implemented, and foster synergies and partnerships to that end.

1. Support to intergovernmental bodies

Conference of the Parties to the United Nations Convention against Transnational Organized Crime

6. During the reporting period, UNODC provided substantive support to two meetings of the Working Group on Smuggling of Migrants, established by the Conference. During its fourth meeting, held in Vienna from 11 to 13 September 2017, the Working Group discussed the use of the Organized Crime Convention to address the smuggling of migrants and the "financial or other material benefit" element of the international definition of smuggling of migrants. To facilitate discussions on that topic, UNODC drafted two technical background papers for consideration by the Working Group. The first background paper provided an overview of past work of the Working Group issues for discussion and offered guidance for response by States (CTOC/COP/WG.7/2017/3). The second background paper examined the "financial and material benefit" aspect of the definition of smuggling of migrants (CTOC/COP/WG.7/2017/4). UNODC also assisted the Working Group by preparing a draft questionnaire for the review of the implementation of the Smuggling of Migrants Protocol, in accordance with Conference resolution 8/2 (CTOC/COP/WG.7/2017/2).

7. The fifth meeting of the Working Group was held in Vienna on 4 and 5 July 2018. At that meeting, the Working Group focused on criminal justice responses, including international cooperation, in investigations and prosecutions of perpetrators of migrant-smuggling operations. UNODC prepared a background paper on that topic that contained a range of suggested issues for discussion by the Working Group, as well as guidance on an effective criminal justice response to the smuggling of migrants, highlighting the importance of international cooperation to strengthen that response (CTOC/COP/WG.7/2018/2). The Working Group also considered the preparation of the questionnaire for the review of the implementation of the Smuggling of Migrants Protocol, in accordance with Conference resolution 8/2. For that purpose, UNODC made available a non-paper containing a draft questionnaire to facilitate the review, which included the suggestions and comments made during the fourth meeting of the Group (CTOC/COP/WG.7/2018/CRP.1).

Commission on Crime Prevention and Criminal Justice

8. To promote the Protocol and share good practices related to its implementation, UNODC co-organized several side events during the twenty-sixth and twenty-seventh sessions of the Commission on Crime Prevention and Criminal Justice. At the twenty-sixth session, in 2017, UNODC held, in collaboration with the German Agency for International Cooperation and the International Organization for Migration (IOM), a side event entitled "Countering trafficking in persons and smuggling of migrants in the Horn of Africa: a multilateral approach". At the same session, a side event was held on the Office's new tools to counter trafficking in persons and the smuggling of migrants, organized in collaboration with the Governments of Italy, Switzerland and the United States of America. During the twenty-seventh session of the Commission, in 2018, UNODC held side events on enhancing knowledge of the smuggling of migrants and on countering the smuggling of migrants in East Africa, as well as a side event on addressing illicit financial flows deriving from the smuggling of migrants in South-Eastern Europe, organized together with the Government of France. In addition, during both the twenty-sixth and twenty-seventh sessions of the Commission, UNODC delivered briefings to Member States on its programme of work related to the smuggling of migrants.

General Assembly

9. UNODC provided substantive support to Member States in discussions on the development and implementation of General Assembly resolutions relating to the smuggling of migrants and the implementation of the Smuggling of Migrants Protocol. A number of resolutions were adopted during the reporting period that called for a greater response to the smuggling of migrants and for UNODC assistance in that regard.

10. At its seventy-second session, in December 2017, the General Assembly adopted resolution 72/196, entitled "Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity". In that resolution, the Assembly called upon Member States to consider ratifying or acceding to the Smuggling of Migrants Protocol, to reinforce international cooperation for preventing and combating the smuggling of migrants and for the prosecution of smugglers while effectively protecting the rights and respecting the dignity of smuggled migrants. The Assembly also called upon UNODC to continue providing technical assistance to Member States in accordance with the Protocol.

11. Also at its seventy-second session, the General Assembly adopted resolution 72/179, on the protection of migrants, in which it called upon States to ensure that their laws and policies in the areas of combating transnational organized crime, including the smuggling of migrants, fully respected the human rights of migrants, and encouraged States to cooperate and to take appropriate measures to prevent, combat and address the smuggling of migrants.

12. At the high-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants, held in New York on 19 September 2016, the Assembly, in its resolution 71/1, adopted the New York Declaration for Refugees and Migrants, in which Heads of State and Government and High Representatives had reaffirmed the importance of the Organized Crime Convention and its Protocols, and encouraged the ratification of, accession to and implementation of relevant international instruments on preventing and combating the smuggling of migrants. They also announced that, with a view to disrupting and eliminating the criminal networks involved, they would review their national legislation to ensure conformity with their obligations under international law on the smuggling of migrants. As a follow-up to the New York Declaration, the General Assembly has adopted resolutions defining the modalities for the intergovernmental negotiations and conferences leading to the adoption of the Global Compact for Safe, Orderly and Regular Migration (General Assembly resolutions 71/280 and 72/244).

Security Council

13. The Security Council met in October 2017 to consider the topic of maintenance of international peace and security and adopted resolution 2380 (2017), in which it reiterated its condemnation, as expressed in resolution 2240 (2015), of all forms of the smuggling of migrants through and from Libyan territory and off the coast of Libya, which undermined further the process of stabilization of Libya and endangered the lives of hundreds of thousands of people. In the same resolution, the Security Council reiterated its call upon Member States to assist Libya, upon request, in building the needed capacity, including to secure its borders and to prevent, investigate and prosecute acts of smuggling of migrants through its territory and on its territorial sea. In addition, the Council made reference to the Organized Crime Convention and the Smuggling of Migrants Protocol, reaffirming that they were the primary international legal instruments to combat the smuggling of migrants and related conduct.

14. Further to the discussions on the smuggling of migrants in Libya, UNODC provided knowledge and expertise to Member States and regional organizations on the requirements, obligations and responsibilities under the Organized Crime Convention and the Smuggling of Migrants Protocol. In November 2016, UNODC signed a cooperation agreement with the European Union Naval Force – Mediterranean Operation Sophia, which is a European Union military operation mandated to disrupt the operations of networks for the smuggling of migrants and trafficking in persons in the South-Central region of the Mediterranean. Under that agreement, UNODC representatives participated in a number of meetings to exchange information related to situational awareness, examine the evolution of related trends and best practices and discuss further ways to harmonize and coordinate the efforts of States and organizations with an interest in irregular migration in the Mediterranean.

2. Participation in inter-agency and regional coordination and cooperation mechanisms

15. During the reporting period, UNODC continued to collaborate and cooperate with international and regional organizations and regional mechanisms that address the smuggling of migrants. At the global level, UNODC contributed to several forums on issues relating to the Smuggling of Migrants Protocol. UNODC representatives moderated a workshop on the use of fraudulent documents in the smuggling of migrants and trafficking in persons at the International Criminal Police Organization (INTERPOL) Conference on Fraudulent Documents, held in October 2017.

16. UNODC continued to provide substantial input on the criminal justice response to trafficking in persons and the smuggling of migrants in the context of large-scale movements of migrants within the framework of the follow-up to the discussions concerning the New York Declaration for Refugees and Migrants and the negotiations on the Global Compact for Safe, Orderly and Regular Migration. In that connection, the Office supported the fifth informal thematic session for the development of the Global Compact, on the topic "Smuggling of migrants, trafficking in persons and contemporary forms of slavery, including appropriate identification, protection and assistance to migrants and trafficking victims", which was held in Vienna on 4 and 5 September 2017. On the margins of that session, UNODC and IOM hosted a side event entitled "Reflecting on the necessity of international cooperation and supporting new models of cooperation to counter migrant smuggling", organized together with the Government of Turkey, and contributed to a side event on the topic "Human rights perspectives on the smuggling of migrants", hosted by the Office of the United Nations High Commissioner for Human Rights.

17. In March 2018, UNODC organized and hosted informal consultations on the IOM-UNODC Joint Platform on Countering Migrant Smuggling. The Joint Platform is an initiative aimed at pooling and leveraging the two agencies' technical and research expertise on countering the smuggling of migrants, in order to support States in developing comprehensive responses in that regard.

Coordination and cooperation with regional organizations and processes

18. UNODC contributed to a better understanding of the objectives and obligations set out in the Smuggling of Migrants Protocol through its participation in a series of events, including the Council of Europe Conference on Smuggling of Migrants held in June 2017 and the consultative meeting for the mid-term review of the European Agenda on Migration organized by the European Commission in July 2017.

19. As part of its cooperation with regional organizations, UNODC representatives participated in technical meetings, including: (a) the twelfth Annual Meeting of National Experts on Joint Investigation Teams, composed of experts from European Union member States, which focused for the first time on cooperation in cases of the smuggling of migrants; (b) a meeting convened by the European Union Agency for Law Enforcement Training and the European Commission in June 2016 to map the need for training to address the smuggling of migrants in Europe; and (c) the European Border and Coast Guard Agency (Frontex) annual training conference on educational technology for border and coast guard training, held in October 2017.

20. UNODC continued to be an active partner of the African Union-Horn of Africa initiative, as well as an observer of the Euro-African Dialogue on Migration and Development (Rabat Process) and the European Union-Horn of Africa Migration Route Initiative (Khartoum Process), both of which are aimed at addressing, among other issues, the smuggling of migrants. In addition, UNODC contributed substantially to a trilateral thematic meeting of representatives of the African Union-Horn of Africa Initiative, the Khartoum Process and the Rabat Process on trafficking in and smuggling of persons, focusing on unaccompanied minors. The meeting was organized by the International Centre for Migration Policy Development and held in Luxor, Egypt, in November 2017. UNODC representatives also took part in the Joint Valletta Action Plan Senior Officials Meeting, held in Valletta on 8 and 9 February 2017, at which officials from States in Africa and Europe reiterated the importance of stepping up the fight against trafficking in persons and the smuggling of migrants in the context of the Joint Valletta Action Plan. UNODC has been contributing directly to the implementation of the Valletta Action Plan, in particular its priority domain 4, on preventing and countering irregular migration, the smuggling of migrants and trafficking in persons, through activities carried out under its strategy to address the smuggling of migrants in the Mediterranean and its regional strategy for combating trafficking in persons and the smuggling of migrants in West and Central Africa (2015–2020). In the framework of the Rabat Process and the Khartoum Process, UNODC has implemented over 67 projects and activities.

21. Since July 2015, UNODC has been a member of the North Africa Mixed Migration Task Force, which is aimed at promoting a human rights-based approach to ensure the protection of people moving in mixed and complex flows along the north-eastern Africa migratory route, as well as in North Africa. The Task Force is designed to foster collaborative approaches among key stakeholders to address the protection and other issues faced by persons using those routes, with a view to informing policy and programme development.

22. UNODC is a full member of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime and the ad hoc working group on human trafficking, which strengthens the regional response to the smuggling of migrants and trafficking in persons and related transnational crime. Along with approximately 48 other members, UNODC actively participates in regional dialogues and initiatives, such as the drafting of policy guides on victim identification and the protection of victims of trafficking in persons. Furthermore, the Bali Process has endorsed UNODC projects such as the interregional Voluntary Reporting System on Migrant Smuggling and Related Conduct, which is aimed at strengthening the collection and sharing of data on the smuggling of migrants across the Asia and the Pacific region.

23. In advancing comprehensive national strategies, policies and actions to tackle trafficking in persons and the smuggling of migrants, UNODC works with several United Nations entities, including IOM, the United Nations Children's Fund and the

Office of the United Nations High Commissioner for Refugees, as well as with regional organizations such as the Organization of American States (OAS), the Inter-American Commission on Human Rights, the Central American Integration System, the Caribbean Community and the Institute for Public Policy on Human Rights of the Southern Common Market (MERCOSUR). UNODC also works with the Ibero-American Network of Specialized Prosecutors against Trafficking in Persons and the Smuggling of Migrants of the Ibero-American Association of Public Prosecutors to strengthen judicial cooperation, promote the exchange of good practices and contribute to efforts to increase investigations, prosecutions and convictions in relation to such crimes.

Global Migration Group

24. UNODC is an active member of the Global Migration Group, the inter-agency group that brings together heads of agencies to promote the wider application of all relevant instruments relating to migration and to encourage the adoption of more coherent, comprehensive and coordinated approaches. UNODC has remained active in and committed to the Group by contributing to joint Group statements, papers and events on migration-related issues, including the Summit for Refugees and Migrants, held on 19 September 2016, the follow-up to the New York Declaration for Refugees and Migrants and the development of the Global Compact for Safe, Orderly and Regular Migration, and the consultations held in follow-up to the Secretary-General's report on making migration work for all (A/72/643). UNODC also participated in the meetings of the principals of the Global Migration Group in 2017 and 2018, during which heads of organizations discussed the Group's support to those parallel but interrelated processes.

25. Moreover, UNODC is an active member of the Global Migration Group's Working Group on Migration, Human Rights and Gender, which focuses on the human rights of smuggled migrants and on the right of access to justice for migrants who are victims of crime. In that framework, UNODC contributed substantially to the publication entitled *Principles and Guidelines, Supported by Practical Guidance, on the Human Rights Protection of Migrants in Vulnerable Situations*, which includes guidance on the protection of migrants within large and/or mixed movements. It also contains advice to States on how to operationalize the international human rights framework governing the protection of migrants in vulnerable situations.

26. In 2016 and 2017, as part of the consultation phase in the development of the Global Compact for Safe, Orderly and Regular Migration, UNODC was assigned the lead role in drafting the Global Migration Group's input to the Secretary-General's issue brief for the fifth informal thematic session for the development of the Global Compact, on the smuggling of migrants, trafficking in persons and contemporary forms of slavery, and the concept note for the Office of the President of the General Assembly, for the same session. UNODC also supported the second informal interactive multi-stakeholder hearing for the development of a global compact on migration, held in Geneva on 11 October 2017, and moderated a panel discussion at the hearing on the topic "Smuggling of migrants, trafficking in persons and contemporary forms of slavery".

3. Development of normative and policy guidance and tools

27. During the reporting period, UNODC continued to produce standard-setting, specialized materials for practitioners, including the issue paper entitled *The Concept of "Financial or Other Material Benefit" in the Smuggling of Migrants Protocol* (2017), which was developed in consultation with more than 100 experts in 13 countries. In the issue paper, it is examined whether the definition or criminalization of the smuggling of migrants at the national level includes the "financial or other material benefit" element, as well as what is considered a form of payment under national law. It also contains an examination of whether instances of national legislation provide for a humanitarian clause that excludes from prosecution persons

who help irregular migrants for altruistic reasons, and how the different approaches to those issues influence evidence-gathering and judicial cooperation.

28. In 2017, UNODC launched the Smuggling of Migrants Knowledge Portal, aimed at facilitating the dissemination of information regarding the implementation of the Smuggling of Migrants Protocol. The Portal is composed of three databases: a case law database, containing, as at May 2018, 776 cases from 41 jurisdictions; a Database of Legislation, containing, as at May 2018, 245 pieces of legislation representing 93 countries; and a bibliographic database containing 333 entries. The Portal is aimed at supporting States in improving their knowledge of national prosecution practices and legislation to counter the smuggling of migrants. UNODC has been using the case law database as a source of data to develop additional normative and policy guidance documents and technical assistance tools. Furthermore, the Office has undertaken a study of cases contained in the database to examine the role of women as perpetrators in the smuggling of migrants.

B. Promoting and supporting the implementation of the Smuggling of Migrants Protocol through technical cooperation

29. With regard to technical assistance, UNODC, in response to requests from Member States, provides expertise in the form of resources on countering the smuggling of migrants on the following key topics: (a) legislative assistance; (b) strategy development; (c) criminal justice responses; (d) international cooperation; (e) data collection and research; (f) prevention and awareness-raising; and (g) assistance and support to migrants who have been the object of smuggling, and other vulnerable migrants.

30. Under its Global Programme against the Smuggling of Migrants, UNODC organized or substantively contributed to 20 major technical assistance activities during the reporting period, including legislative assistance and capacity-building activities. Through those activities, assistance was provided to more than 80 countries and more than 570 criminal justice practitioners and government officials were trained to effectively investigate and prosecute cases of smuggling of migrants. Moreover, specific country and regional programmes carried out activities to counter the smuggling of migrants and provided mentoring and tailor-made technical assistance in that regard.

31. Under the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants, UNODC delivered more than 50 technical assistance activities in 12 partner countries over the last two years.

32. UNODC added to its e-learning programme new language versions of the three following modules dedicated to the subject of the smuggling of migrants: (a) introduction to the smuggling of migrants; (b) investigative approaches to the smuggling of migrants; and (c) investigative techniques to counter the smuggling of migrants. Those modules are now available in Bahasa, Burmese, Chinese, English, Khmer, Lao, Macedonian, Serbian, Sinhalese, Thai, Urdu and Vietnamese.

1. Legislative assistance and strategy development

33. UNODC continued to provide Member States with tailor-made, specialized legislative assistance to help develop effective national legislation in line with the requirements of the Smuggling of Migrants Protocol. The Office carried out assessments of legislative needs and supported the drafting of legislation to operationalize the Protocol. Furthermore, the Office provided legal advice and assistance to legislative drafters and judicial officials, including judges and prosecutors, by analysing gaps in legislation and conducting legislative drafting workshops.

34. At the request of the Government of Maldives, UNODC completed an assessment mission to gather information on indicators of smuggling of migrants and

on the profile and modus operandi of smugglers, and to identify loopholes and weaknesses in the national framework. The assessment involved a broad range of actors, including both government representatives and representatives of non-governmental organizations, who were consulted during group meetings and individual interviews. The assessment was followed by a legislative drafting workshop, held in December 2017, to support the Government in finalizing a draft law to prevent and combat the smuggling of migrants. UNODC then reviewed that draft law, with the purpose of reflecting the principles and spirit of the Smuggling of Migrants Protocol, and drafted a series of recommendations to lawmakers aimed at supporting the consideration of the draft law by Parliament in the first quarter of 2018.

35. In the framework of the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants, UNODC also conducted gap and needs assessments in the 13 countries of the initiative (see para. 3 above), including interviews with stakeholders in those countries. Thirteen reports on the current situation with regard to trafficking in persons and the smuggling of migrants were prepared, containing recommendations and a suggested implementation plan for government authorities to develop action plans, including legislative amendments. For example, UNODC supported Egypt in launching its new law on combating illegal migration and the smuggling of migrants by helping to present the law and discuss challenges and good practices in prosecuting the smuggling of migrants with over 100 relevant government officials and practitioners.

36. UNODC also supported the development of regional strategies to address the smuggling of migrants. In 2016, UNODC conducted a regional workshop on the smuggling of migrants for member States from the Southern Africa Development Community. During the workshop, which took place in South Africa, guidance was provided on the development of a plan of action to combat the smuggling of migrants. Participants attended from 11 of the 15 States members of the Southern Africa Development Community (Angola, Botswana, Eswatini, Lesotho, Malawi, Madagascar, Namibia, Seychelles, South Africa, Zambia and Zimbabwe). More recently, UNODC, in cooperation with INTERPOL, organized a regional expert group meeting on improving and harmonizing regional coordination and cooperation in preventing and combating the smuggling of migrants, while protecting the rights of smuggled migrants in East Africa. The meeting was held in Mombasa, Kenya, from 13 to 15 December 2017. Participants from eight countries (Comoros, Kenya, Rwanda, Seychelles, South Sudan, Sudan, Uganda and United Republic of Tanzania), as well as representatives of the East African Community and INTERPOL, attended the meeting. An important outcome of the meeting was the drafting of the first version of a regional plan of action for East Africa to counter the smuggling of migrants, which will be further discussed in upcoming regional forums. The first version of the regional plan of action was presented in May 2018, at a side event during the twenty-seventh session of the Commission on Crime Prevention and Criminal Justice.

2. Strengthening criminal justice responses

37. UNODC continued to carry out a wide range of technical assistance activities aimed at strengthening the criminal justice response to the smuggling of migrants in all regions. In particular, the Office offered training courses for practitioners involved in addressing the smuggling of migrants, including border control personnel, immigration and law enforcement officers, prosecutors, judges and lawyers.

38. In Mexico, UNODC strengthened the capacities of 200 law enforcement officials from Canada, Mexico and the United States to detect, investigate and prosecute the smuggling of migrants and to dismantle networks. Through an innovative training methodology based on real case scenarios and interactive simulation exercises, UNODC promoted coordination and cooperation among federal and local authorities, as well as international cooperation with customs and border patrol agencies; encouraged a human rights-based and gender-sensitive approach to dealing with the smuggling of migrants; and trained practitioners to identify the smuggling of migrants and use appropriate tools and knowledge to provide assistance

to smuggled migrants while conducting a criminal investigation. Tablets with digital materials, personalized evaluations and quizzes were distributed to follow up on the performance of each participant.

39. In Africa, UNODC continued to support the strengthening of criminal justice responses to combat the smuggling of migrants. In the Middle East and North Africa, including in Egypt, Iraq, Jordan, Lebanon and Libya, UNODC trained over 230 law enforcement and criminal justice practitioners in identifying and investigating cases of smuggling of migrants and trafficking in persons, prosecuting offenders and dismantling criminal networks engaging in such criminal activities. During that training, the Office highlighted the importance of regional and international cooperation to combat both crimes, as well as the need to uphold the rights of trafficking victims and smuggled migrants. In October 2017, UNODC organized a training workshop in Egypt to strengthen the capacity of prosecutors to investigate and prosecute crimes of smuggling of migrants. The Office also delivered specialized training courses on addressing the smuggling of migrants. One of the courses was organized in South Africa on the topic of smuggling of migrants by air, focusing on document fraud investigations. It was attended by immigration officials and criminal justice practitioners from six countries in Southern Africa (Botswana, Lesotho, Malawi, Namibia, South Africa and Zimbabwe). A similar workshop was held in 2016 in Ghana and both served to support States in implementing the Smuggling of Migrants Protocol and to enhance the participants' understanding of the smuggling of migrants as well as their capacities to detect fraudulent documents used for the commission of that crime, in order to conduct successful investigations to dismantle organized criminal networks benefiting from the smuggling of migrants.

40. Under the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants, UNODC assisted beneficiary countries in strengthening their criminal justice responses to the smuggling of migrants. Needs assessments that were carried out revealed a number of recurring themes and barriers to investigations into the smuggling of migrants, such as resource constraints and competing priorities. UNODC delivered 38 activities addressing both trafficking in persons and the smuggling of migrants and 16 activities addressing only the smuggling of migrants. The activities ranged from capacity-building training for practitioners and officials, expert group meetings on good practices and links with other crimes, and the development of tailor-made curricula in cooperation with national training academies. A workshop for travel agents, tour operators and overseas employment promoters, aimed at combating trafficking in persons and smuggling of migrants, as well as helping to prevent abusive and fraudulent recruitment practices, was organized in Pakistan in September 2017.

3. Promoting international cooperation

41. Close cooperation among States is essential for effectively combating the smuggling of migrants, given the transnational nature of the crime. Accordingly, in addition to conducting technical assistance activities focused on capacity-building at the national level, including a component on regional and/or international cooperation, UNODC undertook activities aimed at fostering direct cooperation between States. In particular, UNODC organized and participated in relevant information exchanges and conferences on the smuggling of migrants at both the regional and global levels.

42. Several regional, transregional and subregional workshops were organized during the reporting period, including a series of regional workshops focusing on the smuggling of migrants by sea. One such regional workshop, focusing on the Indian Ocean and South Asia regions, was organized in India in November 2016. Participants included front-line officers, criminal justice practitioners and policymakers from Bangladesh, India, Indonesia, Maldives and Sri Lanka; they were invited to take stock of current challenges in addressing the smuggling of migrants, exchange good practices with a view to building capacity along the routes concerned, and develop plans for future engagement at the regional, subregional or bilateral levels, including

with regional and international organizations. Another regional workshop was organized in Malta in May 2017; it was focused on promoting judicial cooperation against the smuggling of migrants by sea in the Mediterranean region. The workshop was attended by 40 prosecutors and judges from Algeria, Egypt, France, Greece, Italy, Lebanon, Libya, Malta, Morocco, Tunisia, Turkey and the United States, as well as representatives of the European Commission and the European Union Naval Force-Mediterranean. During the workshop, a mock trial was held, which served to strengthen the use of the Organized Crime Convention and the Smuggling of Migrants Protocol for undertaking international judicial cooperation against the smuggling of migrants by sea in the Mediterranean. In September 2017, UNODC also organized a subregional workshop on international cooperation and mutual legal assistance in smuggling of migrants cases, which was attended by law enforcement officers and prosecutors from Egypt, Libya, the Sudan and Tunisia. Regional and international cooperation instruments were presented, along with the UNODC Mutual Legal Assistance Request Writer Tool and good practices in joint investigations.

43. UNODC also carried out a series of regional expert group meetings on cross-border criminal investigations and prosecutions and the disruption of illicit financial flows deriving from the smuggling of migrants in South-Eastern Europe. The meetings were attended by 155 policymakers and practitioners from 14 countries. The participants included prosecutors, law enforcement authorities, government officials from the ministry of finance and representatives of banking institutions, international and regional organizations and non-governmental organizations dealing with migration-related issues. The meetings allowed for discussion and the sharing of experiences and examples of cooperation in investigating and prosecuting the smuggling of migrants by using special investigative techniques and financial cross-border investigations. An outcome of the meetings was the adoption of a set of final conclusions and a model protocol for cross-border cooperation in combating the smuggling of migrants and conducting financial investigations and confiscation of assets derived from the smuggling of migrants. During the twenty-seventh session of the Commission on Crime Prevention and Criminal Justice, a side event was organized, together with the Government of France, to present the conclusions of the meetings and the model protocol for cross-border cooperation.

44. UNODC also continued to support the work of networks of practitioners. In 2017, UNODC organized the third meeting of the Ibero-American Network of Specialized Prosecutors against Trafficking in Persons and Smuggling of Migrants, which contributed to strengthening judicial research and cooperation and the sharing of good practices. The meeting was attended by 20 public prosecutors, 3 crown prosecutors and several experts and investigators from 17 countries. At the meeting, a declaration was signed on the use of regional cooperation tools, including UNODC tools. In addition, the inter-institutional protocol to strengthen investigations and the care and protection of victims of trafficking in persons and the smuggling of migrants, adopted by the Ibero-American Association of Public Prosecutors, was updated and revised. UNODC also supported the organization of the sixth plenary meeting of the Network of West African Central Authorities and Prosecutors, held in Niamey from 8 to 11 November 2016, at which the smuggling of migrants as a form of transnational organized crime was addressed for the first time. The participants, representing 18 countries, shared experiences and explored measures and strategies that could be employed to jointly address the smuggling of migrants in the region, including international cooperation tools and instruments, such as mutual legal assistance, extradition, asset recovery and joint investigation teams.

45. UNODC has also undertaken innovative activities to strengthen international cooperation. Under the project on strengthening the transnational response to smuggling of migrants and maritime crime in West, North and East Africa, a prosecutor from Nigeria has been deployed to the Public Prosecutor's Office in Palermo and Catania, Italy. The prosecutor interacts informally with Italian prosecutors, provides background knowledge on patterns and forms of the smuggling of migrants and facilitates communication and legal cooperation between the

authorities of the two countries, as well as with foreign liaison magistrates based in Italy and with the Network of West African Central Authorities and Prosecutors. On the basis of that experience, UNODC is currently exploring the possibility of deploying experts from countries in Africa to Greece, Italy and Spain. In Mexico, UNODC organized a training workshop for practitioners from Mexico and the United States, during which practical exercises were conducted at the border crossing point, encouraging a better understanding of the crime and promoting interaction, information-sharing and international coordination among peers in an operative environment.

4. Data collection and research

46. An effective response to the smuggling of migrants requires sound knowledge of the existing situation, including reliable data, as a basis for policy- and decision-making, the allocation of resources and the identification of technical assistance needs. UNODC directly supports States in developing their capacity to collect and analyse information and data relating to the smuggling of migrants.

47. In 2018, UNODC published the *Global Study on the Smuggling of Migrants 2018*, which is based on an extensive review of existing data and literature. The study contains detailed information about key smuggling routes, the magnitude of the phenomenon, the profile of smugglers and smuggled migrants, the modus operandi of smugglers and the risks that smuggled migrants face. It shows the variety of land, air and sea routes used by smugglers, and presents the risks faced by migrants to violence, theft, exploitation, sexual violence, kidnapping and even death along many routes. The study also pinpoints the need to improve data-collection systems at the national, regional and international levels and to maintain adequate administrative records, conduct appropriate surveys and apply statistical methodologies and qualitative studies to monitor patterns and routes used in the smuggling of migrants.

48. In the framework of the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants, UNODC has participated in improving data collection in the 13 selected countries (see para. 3 above) through the conduct of needs and assessment reports, which contain an annex providing primarily quantitative data as a baseline against which Governments can measure progress in strengthening the response to the smuggling of migrants. More specifically, in South Africa, UNODC is conducting, in collaboration with the Department of Home Affairs, a countrywide data-collection exercise that will lead to the development of a report on smuggled migrants containing profiles of smuggled migrants by age, gender, nationality and country of origin and identifying the main smuggling routes to South Africa. UNODC has also initiated work on the preparation of a study on the smuggling of migrants from Nepal, which will contain an analysis of the profile of smugglers and their modus operandi, as well as the vulnerable communities.

5. Crime prevention and awareness raising

49. The Smuggling of Migrants Protocol requires States to undertake prevention measures, including: (a) exchange of information; (b) strengthening border controls to detect the smuggling of migrants; (c) ensuring the security and control of travel or identity documents; (d) being able to verify the legitimacy and validity of such documents in a timely manner; providing training and technical cooperation; and (e) initiating initiatives to raise public awareness.

50. UNODC continues to implement, in collaboration with the Government of Mexico, the campaign entitled "Smuggling of migrants: #deadlybusiness", which was launched in 2015. The campaign is now being disseminated in international forums, such as the Ibero-American Association of Public Prosecutors, OAS and the Conference of Parties to the Organized Crime Convention. The campaign has been endorsed by the 11 States members of the Regional Conference on Migration, as well as by Chile and Spain. The campaign is aimed at three different audiences: law enforcement authorities, whose awareness of the human rights of migrants must be

increased; potential migrants, who must have information on the risks of using the services of smugglers for journeys by land, sea and air; and the media, who play a central role in bringing that information to migrant communities of origin and transit. All the communication tools were initially developed in Spanish and have been translated into Arabic, English, French and Portuguese. New materials for front-line officers, transit communities and migrants from Mexico in the United States are being developed.

6. Protection of and support for smuggled migrants

51. The purpose of the Smuggling of Migrants Protocol is to prevent and combat the smuggling of migrants, as well as to promote cooperation among State parties to that end, while protecting the rights of smuggled migrants. Although the Smuggling of Migrants Protocol, does not create new obligations related to the protection of migrants rights, it stresses that each State party should take, in implementing the Protocol, all appropriate measures to preserve and protect the rights of persons who have been the object of smuggling of migrants as accorded under international law, international human rights law and international humanitarian law, and in particular the Convention relating to the Status of Refugees, adopted in 1951, and the principle of non-refoulement.

52. In that regard, UNODC promotes the protection of and support for smuggled migrants as an essential component of national responses to the smuggling of migrants; those aspects are continuously addressed in the Office's capacity-building activities. In 2017, UNODC organized a national conference in the Niger on the rights of migrants in the framework of an awareness-raising day on the implementation of the 2015 law on the smuggling of migrants.

53. In 2016, UNODC delivered training courses on protection of and assistance for smuggled migrants in Jordan and Lebanon. The courses were centred on interactive sessions and in-depth group work that addressed the definitions of and differences between the smuggling of migrants and trafficking in persons, how to deal with vulnerable migrants, proactive and reactive investigations, the effect of trauma on the behaviour of smuggled migrants and investigation techniques.

54. In Mexico, UNODC developed an operational manual of procedures for the detection and attention of smuggled migrants, which includes practical information to detect smuggled migrants, to provide them with assistance and to promote inter-institutional coordination. A workshop for federal and local institutions, non-governmental organizations and human rights advocates was organized to test the manual and gather inputs from its final users.

55. Under the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants, UNODC organized calls for proposals for the funding of civil society organizations that provide direct assistance and reintegration services to smuggled migrants and other vulnerable migrants. In Brazil, the selected organization will provide material, legal and administrative assistance and referral for migrants in vulnerable situations. The organization will also conduct professional training sessions for vulnerable migrants and develop activities for their integration. In Mali, the selected organization will provide protection and assistance to migrants in vulnerable situations (shelter, material, legal and medical assistance, etc.), as well as reintegration assistance, through the development, in coordination with the beneficiaries, of reintegration and financial projects.

III. Conclusions

56. In promoting the implementation of the Smuggling of Migrants Protocol, in particular by providing technical assistance to Member States and fostering inter-agency cooperation, UNODC has consistently sought the active participation of relevant stakeholders at the international, regional and national levels.

57. Despite the progress made, the smuggling of migrants remains a pressing global issue, affecting all regions. UNODC will continue its efforts to promote and support the implementation of the Smuggling of Migrants Protocol, and work jointly with Member States and international organizations, civil society and migrants towards making the fight against the smuggling of migrants in all its forms ever more effective. In that regard, UNODC will continue to develop and support innovative methods to better train practitioners and improve awareness-raising.

58. In the framework of the Global Migration Group, and the forthcoming United Nations migration network, UNODC aims to contribute to the development and future implementation of the Global Compact for Safe, Orderly and Regular Migration, as well as to the consultations to be held in follow-up to the Secretary-General's report on migration (A/72/643).

59. UNODC will continue to develop the smuggling of migrants case law database and will issue new publications, such as an issue paper on the role of women in the smuggling of migrants.

60. UNODC will also continue delivering tailor-made capacity-development assistance at the national and regional levels, including on specific issues such as financial investigations in smuggling of migrants cases, addressing the increased need for protection of and assistance for migrants and refugees vulnerable to trafficking in persons, and the smuggling of migrants by sea and air.

United Nations CTOC/COP/2018/4

Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto: Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition

Activities of the United Nations Office on Drugs and Crime to promote and support the implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime

Report of the Secretariat

I. Introduction

1. The present report was prepared pursuant to resolution 8/3 of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, entitled "Strengthening the implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime". In that resolution, the Conference recalled that the Organized Crime Convention and its supplementary Firearms Protocol were among the principal global legal instruments to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

2. In the same resolution, the Conference noted with appreciation the assistance provided to States by the United Nations Office on Drugs and Crime (UNODC) through its Global Programme on Firearms, and requested UNODC, through the Global Programme on Firearms, to continue to assist requesting States in their efforts to adhere to and implement the Firearms Protocol. The Conference also encouraged those Member States in a position to do so to make available extrabudgetary resources to enable the Office to implement its mandate in this regard.

3. Also in that resolution, the Conference requested UNODC to continue to assist requesting States in their efforts to strengthen their firearms control measures,

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consistent with the Firearms Protocol, with a view to preventing, combating and eradicating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and to promote and encourage international cooperation in criminal matters, pursuant to the Convention, with the aim of investigating and prosecuting the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, including when related to terrorism and to other crimes, such as urban crime committed by gangs, through regional and cross regional workshops, including for countries that are on relevant trafficking routes.

4. Also in its resolution 8/3, the Conference took note with appreciation of the *UNODC Study on Firearms 2015*, developed and disseminated by the Global Programme on Firearms of the UNODC pursuant to Conference resolutions 5/4, 6/2 and 7/2 as a starting point for further analysis on firearms trafficking, welcomed the valuable efforts of the Office in that respect, and requested UNODC to continue to collect and analyse, on a regular basis, quantitative and qualitative information and suitably disaggregated data on trafficking in firearms, their parts and components and ammunition, taking into consideration the usefulness of the study and taking into account target 16.4 of the Sustainable Development Goals, as well as to continue to share and disseminate its findings on best practices, the dimensions and characteristics of such trafficking, and lessons learned.

5. In that context, in the same resolution the Conference requested UNODC to continue in its efforts to improve the methodology of the *UNODC Study on Firearms 2015*, and in that regard invited the Office and other organizations with similar firearms data-collection mandates to continue to explore ways to cooperate and coordinate with each other, with a view to developing synergies between the distinct reporting obligations of States parties and, where appropriate, facilitating the production of standardized and comparable data.

6. Also in that context, the Conference reiterated its invitation to States parties that had not yet done so to provide UNODC with quantitative and qualitative data and information on trafficking in firearms, and to those that had provided information to continue doing so, with a view to enhancing the exchange of information between Member States and the availability of data.

7. The Firearms Protocol has a total of 115 Parties. Since the eighth session of the Conference, Fiji acceded to the Protocol in September 2017. Although several Member States have informed the Secretariat about ongoing and future internal procedures to ratify or accede to the Protocol, the number of Parties to the Firearms Protocol remains below the number of Parties to the Convention and the other Protocols supplementing the Convention. The comparatively low adherence status continues despite the periodically expressed invitation by the Conference to States that have not yet done so to consider becoming parties to the Firearms Protocol and to fully implement its provisions.

8. The present report informs the Conference about the activities of UNODC in promoting and supporting the ratification and implementation of the Firearms Protocol, over the last two years.[1] Key achievements include the following:

(a) Substantive servicing of the fifth and sixth meetings of the Working Group on Firearms, held in May 2017 and May 2018;

(b) The organization of more than 50 events, seminars and training sessions, benefiting more than 60 countries and reaching more than 800 people through its activities to prevent and combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition;

(c) UNODC extended its scope of direct technical assistance activities to include the Middle East and North Africa region as well as the Balkan region;

[1] For more information, see CTOC/COP/WG.6/2018/3.

(d) The launch of the illicit arms flows questionnaire, which serves as the basis for periodic data collection and analysis to identify firearms trafficking trends and patterns, monitor steps towards achievement of target 16.4 of the Sustainable Development Goals and support Member States in developing an evidence base for decision-making at the policy and operational levels.[2]

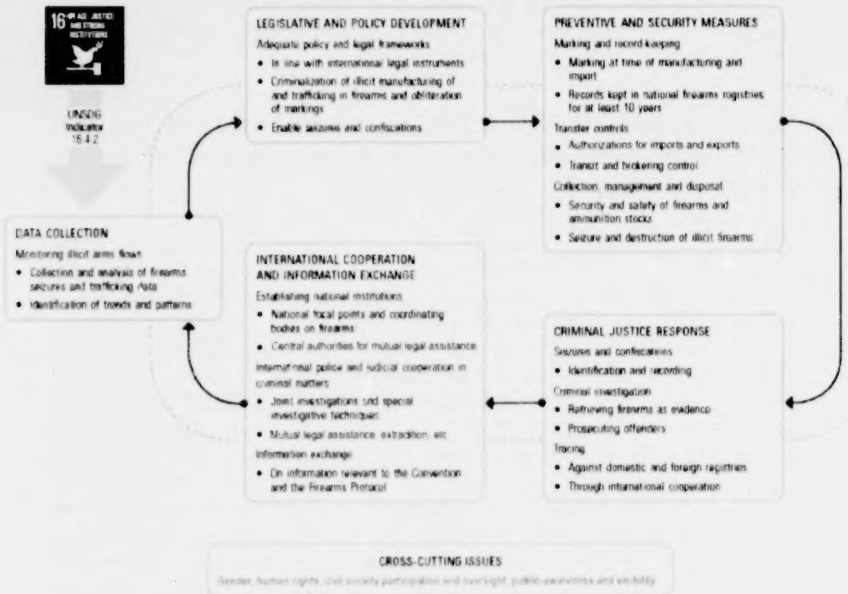
II. Integrated approach of UNODC to prevent and combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition

9. The work of UNODC to prevent and counter illicit manufacturing of and trafficking in firearms, their parts and components and ammunition is spearheaded through the UNODC Global Programme on Firearms. The Global Programme follows an integrated approach based on five major pillars, each covering one of five interrelated areas of action to address the different aspects of the problem: (a) enhancing policy and normative development through awareness-raising and legislative assistance to support ratification and implementation of the Protocol; (b) provision of technical support for the implementation of preventive and security measures to prevent the illicit manufacturing and theft of and trafficking in firearms, their parts and components and ammunition; (c) strengthening criminal justice responses to detect, investigate and prosecute the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition; (d) fostering and promoting international cooperation and information exchange to address the transnational dimension of trafficking in illicit firearms and related issues; and (e) mapping and monitoring flows of illicit firearms by means of global data collection and analysis to enhance the intelligence picture of trafficking in firearms and its criminal context.

10. The Programme's integrated approach is built on the premise that only the joint interaction of all five pillars can provide a meaningful framework for successful action. Together, the five pillars also contribute to the achievement of the 2030 Agenda for Sustainable Development, in particular target 16.4 (By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime). The approach is complemented by a number of cross-cutting elements, such as gender mainstreaming, human rights and civil society participation and oversight, which are streamlined into the Programme's activities.

[2] For more information on the contribution of the Firearms Protocol to supporting the achievement of target 16.4 of the Sustainable Development Goals, see CTOC/COP/WG.6/2017/3.

Figure I
Integrated five-pillar approach of the Global Programme on Firearms


16
UNSDG Indicator 16.4.2
LEGISLATIVE AND POLICY DEVELOPMENT
Adequate policy and legal frameworks
• In line with international legal instruments
• Criminalization of illicit manufacturing of and trafficking in firearms and obliteration of markings
• Enable seizures and confiscations
PREVENTIVE AND SECURITY MEASURES
Marking and record-keeping
• Marking at time of manufacturing and import
• Records kept in national firearms registries for at least 10 years
Transfer controls
• Authorizations for imports and exports
• Transit and brokering control
Collection, management and disposal
• Security and safety of firearms and ammunition stocks
• Seizure and destruction of illicit firearms
DATA COLLECTION
Monitoring illicit arms flows
• Collection and analysis of firearms seizures and trafficking data
• Identification of trends and patterns
INTERNATIONAL COOPERATION AND INFORMATION EXCHANGE
Establishing national institutions
• National focal points and coordinating bodies on firearms
• Central authorities for mutual legal assistance
International police and judicial cooperation in criminal matters
• Joint investigations and special investigative techniques
• Mutual legal assistance, extradition, etc
Information exchange
• On information relevant to the Convention and the Firearms Protocol
CRIMINAL JUSTICE RESPONSE
Seizures and confiscations
• Identification and recording
Criminal investigation
• Retrieving firearms as evidence
• Prosecuting offenders
Tracing
• Against domestic and foreign registries
• Through international cooperation
CROSS-CUTTING ISSUES
Gender, human rights, civil society participation and oversight, public awareness and visibility

III. Activities to assist States in the implementation of the Protocol

11. During the reporting period, UNODC, under the Global Programme on Firearms, was able to implement over 50 activities, including collaboration with 14 countries in Africa, the Western Balkans and Latin America in the area of direct technical support and cooperation, and supported over 60 countries through regional activities, reaching a total of more than 800 people through donor support.[1]

A. Servicing intergovernmental bodies and processes related to firearms

1. Conference of the Parties and the Working Group on Firearms

12. For the fifth meeting of the Working Group on Firearms, on 8–10 May 2017, UNODC prepared a report on the contribution of the Firearms Protocol in supporting the achievement of target 16.4 of the Sustainable Development Goals and the activities of UNODC to promote its ratification and implementation (CTOC/COP/WG.6/2017/3), as well as the draft questionnaire for the review of the implementation of the Firearms Protocol, in accordance with Conference resolution 8/2 (CTOC/COP/WG.6/2017/2).

13. For the sixth meeting of the Working Group, held on 2 and 3 May 2018, the Secretariat prepared two background papers: a background paper on practical measures under the Firearms Protocol that contribute to preventing criminal organizations and terrorist groups from acquiring weapons through illicit trafficking, and to monitoring the achievement of target 16.4 of the Sustainable Development

[1] During the reporting period, activities of the Global Programme on Firearms were funded through donations from Germany, Italy, Sweden and the European Union, as well as from Denmark and Japan through the UNODC Sahel Programme and from Panama through its national project.

Goals (CTOC/COP/WG.6/2018/2) and a background paper on the activities of UNODC to promote the ratification and implementation of the Firearms Protocol (CTOC/COP/WG.6/2018/3). The Working Group also had before it a non-paper containing the amended draft questionnaire for the review of the implementation of the Firearms Protocol (CTOC/COP/WG.6/2018/CRP.1) and a conference room paper containing the questionnaire on illicit arms flows (CTOC/COP/WG.6/2018/CRP.2).

14. The reports on those meetings of the Working Group, containing the recommendations adopted by the Working Group, have been transmitted to the Conference at its ninth session (CTOC/COP/WG.6/2017/4 and CTOC/COP/WG.6/2018/4).

2. Support to and cooperation with other inter-governmental bodies

15. During the reporting period, UNODC provided input for reports of the General Assembly and the Security Council on issues relating to firearms, such as the report of the Secretary-General to the Security Council on small arms and light weapons (S/2017/1025) and the 2018 report of the Secretary-General on implementation of the mandates of the United Nations crime prevention and criminal justice programme, with particular reference to the technical cooperation activities of the United Nations Office on Drugs and Crime (A/73/131).

16. With a view to fostering cooperation and coordination of technical assistance activities to achieve sustainable impact, UNODC participated in the first meeting of governing bodies and secretariats of international instruments and mechanisms on small arms and light weapons organized by the Government of Mexico, held in Mexico City in April 2018.

17. UNODC also participated in the seventy-second session of the First Committee of the General Assembly (Disarmament and International Security Committee) held in New York in October 2017, and participated in the Second and Third Conferences of States Parties of the Arms Trade Treaty, held in Geneva in August 2016 and September 2017. Furthermore, UNODC attended the Third United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York on 18–29 June 2018, and contributed to the Conference's preparatory process, including through a series of thematic expert symposiums, held prior to the Conference, to foster discussion and exchange among experts on several substantive topics: tracing and stockpile management in conflict and post-conflict situations (held in New York in October 2017); the 2030 Agenda for Sustainable Development (held in New York in October 2017); manufacturing, technology and design of small arms and light weapons and resulting challenges and opportunities for the implementation of the Programme of Action on Small Arms and the International Tracing Instrument (held in Brussels in November 2017); and synergies between the Programme of Action on Small Arms and other instruments, including the Firearms Protocol (held in Geneva in November 2017).

18. Representatives of UNODC participated in, among other international meetings, the Fourth Conference of the States Parties to the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials, held in Mexico City in April 2018; the first session of the General Assembly of the African Police Cooperation Organization, held in Algiers in May 2017; the forty-seventh regular session of the General Assembly of the Organization of American States, held in Cancun, Mexico, in June 2017; and the first Conference of the States Parties to the Central African Convention for the Control of Small Arms and Light Weapons, Their Ammunition, Parts and Components That Can Be Used for Their Manufacture, Repair and Assembly, held in Yaoundé in June 2018.

B. Development of tools

19. Several tools and publications have been developed by UNODC to provide practical guidance and support the delivery of quality technical assistance to Member States.

20. The legislative tools developed in previous years continue to be relevant and useful for practitioners and are being used in the delivery of legislative and technical assistance. For example, the UNODC Model Law on Firearms, developed in 2010 and updated in 2013, was downloaded from the UNODC website almost 4,000 times in 2017. During the same period, the *Digest of Organized Crime Cases*, developed in 2012, was downloaded more than 23,700 times. The cases contained in the *Digest* have all been uploaded in the knowledge management portal known as Sharing Electronic Resources and Laws on Crime (SHERLOC), and new cases continue to be collected, analysed and uploaded. Finally, the *Comparative Analysis of Global Instruments on Firearms and Other Conventional Arms: Synergies for Implementation*, developed by UNODC in 2015, was downloaded almost 1,300 times in 2017 and has become a frequently referenced tool among practitioners.

21. During the reporting period, UNODC also conducted a comparative study on the implementation of import marking requirements for firearms and ammunition and the transposition of those requirements into national legislation in selected countries of Europe and North America, as part of its legislative assistance to Bosnia and Herzegovina and Serbia; the study was translated into Bosnian and shared with national authorities.

22. The comprehensive firearms training curriculum continues to be used for capacity-building activities and is regularly reviewed and updated. The curriculum currently comprises 19 modules containing practical information on the implementation of national controls to prevent and combat trafficking in firearms, the identification of trafficking in firearms and operational practices on how to investigate and prosecute cases of trafficking in firearms. In 2017, parts of the curriculum were translated into French and disseminated during training activities.

23. On the basis of existing training modules, UNODC developed, conducted pilot-testing on and delivered several courses. In the period 2017–2018, two new specialized training courses were developed: one on the detection of firearms at land border crossings and one on the detection of firearms in postal parcels. The first course has already undergone pilot-testing and has become an integral part of the capacity-building support provided by the Global Programme on Firearms. The training course on the detection of firearms in postal parcels will undergo pilot-testing in the near future.

24. In the context of the UNODC Education for Justice (E4J) initiative, the Global Programme on Firearms is developing teaching modules to encourage and guide tertiary-level educators in addressing the topic of illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and related topics. The 14 draft modules were presented to 40 educators and thematic experts in regional meetings organized in Panama City and Vienna in June 2018. The modules are to undergo further pilot-testing and be disseminated in the near future.

25. Pursuant to a recommendation made by the Working Group on Firearms at its fifth meeting, held on 8–10 May 2017, UNODC initiated the collection and analysis of relevant judicial cases and good practices to investigate and prosecute cases of trafficking in firearms linked to terrorism and organized crime. Cases are collected, inter alia, in the course of regional meetings of the Community of Practitioners organized by the Global Programme on Firearms and at training activities, thus allowing for a direct exchange of practical insights among criminal justice practitioners on effective practices, lessons learned and setbacks encountered in the conduct of the investigations, as well as on related criminalization, detection and prosecutorial aspects. It is envisaged that the collected cases, expert commentaries and emerging good practices will be published in a digest of firearms trafficking cases

linked to organized crime and terrorism, which will compile and analyse practical experiences, including concrete legal techniques, common protocols and operational norms in combating those crimes, as well as new and emerging forms of criminality.

26. During the reporting period, UNODC also collaborated with RAND Europe on their empirical research on trafficking in firearms via the darknet and drafted an annex chapter to the published study on the overview of international legal instruments and their ability to respond to this threat. The study and the annex chapter were published in July 2017 and can be downloaded from the UNODC website.[4]

27. Pursuant to its mandate to continue its efforts to improve the methodology of the *UNODC Study on Firearms 2015*, in accordance with Conference resolution 8/3, UNODC has reviewed its data collection methodology and updated its questionnaire on illicit trafficking in firearms in consultation and collaboration with Member States as well as weapons and statistical experts (see section C.5 of this report, below).

C. Technical assistance

1. Enhancing policy and normative development through awareness-raising and legislative assistance to support ratification and implementation of the Firearms Protocol

(a) Increasing knowledge and raising awareness

28. Under the framework of its Education for Justice (E4J) initiative, UNODC took part in two sessions of The Hague International Model United Nations, organized by the Qatar Foundation and held in Doha in January 2017 and January 2018, to sensitize young students from almost 90 countries on firearms crime-related issues.

29. Partnering with several Member States, non-governmental organizations and research institutes, UNODC co-organized, on the margins of intergovernmental meetings, a series of side events addressing a wide range of substantive topics, including the following: diversity and impact of illicit trafficking in firearms, including through the darknet (held in Vienna in October 2016 during the eighth session of the Conference and in May 2017 during the twenty-sixth session of the Commission on Crime Prevention and Criminal Justice); monitoring illicit arms flows and translating data into concrete action against firearms trafficking in the context of target 16.4 of the Sustainable Development Goals (held in Vienna in October 2016 during the eighth session of the Conference and in May 2017 during the twenty-sixth session of the Commission on Crime Prevention and Criminal Justice, and in New York in June 2018 on the margins of the Third United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects); the links between illicit drug and firearms trafficking (held in Vienna in March 2017, during the sixtieth session of the Commission on Narcotic Drugs); and addressing firearms trafficking in the context of organized crime and terrorism (held in Vienna in May 2018 during the twenty-seventh session of the Commission on Crime Prevention and Criminal Justice).

30. UNODC briefed the participants of an informal expert meeting organized by the United Nations Institute for Disarmament Research in Geneva in December 2017 on its efforts and methodology for firearms data collection and contributed to a workshop organized by the Federal Foreign Office of Germany and the Bonn International Centre for Conversion on lessons learned from arms control efforts in fragile and post-conflict contexts, held in Berlin in February 2018.

31. Moreover, UNODC contributed to the discussions on the different aspects of achieving target 16.4 of the Sustainable Development Goals on several occasions,

[4] The RAND study and the annex chapter drafted by UNODC are available from the UNODC website (www.unodc.org/unodc/en/firearms-protocol/news/unodc-analyses-the-policy-implications-of-illicit-firearms-trafficking-on-the-dark-web.html).

including during a meeting held in Johannesburg, South Africa, in February 2018, organized by the government agency of the United Kingdom of Great Britain and Northern Ireland, Wilton Park, and contributed to a training session on arms control, disarmament and non-proliferation organized by the United Nations Office for Disarmament Affairs and the Organization for Security and Cooperation in Europe for 50 young female professionals, held in Vienna in February 2018.

32. The latest developments in investigating and prosecuting illicit trafficking in firearms, their parts and components and ammunition were presented at a regional forum for countries of North Africa and the Sahel region, organized by the UNODC Regional Office for the Middle East and North Africa and the Regional Office for West and Central Africa, held in Algiers in January 2018. UNODC also participated as a panellist at the launch, in Brussels in April 2018, of the report entitled *Firearms Acquisition by Terrorists in Europe*, the result of research conducted by the Flemish Peace Institute.

33. With the aim of improving the sharing of information with Member States and reaching a wider audience, UNODC organized an information briefing for Member States on the achievements and priorities of the Global Programme on Firearms in Vienna in January 2018. The event was attended by more than 70 government representatives from 55 Member States. Moreover, the Global Programme on Firearms, with support from the Advocacy Section of UNODC, reviewed and updated its communication strategy to include a more diversified range of tools and approaches, such as the use of the Internet and social media (e.g., on Twitter: @UNODC_Firearms). In 2017, the revised Global Programme's web page received more than 21,400 visits.

(b) Legislative assistance

34. Supporting the enhancement of national legal frameworks on firearms is a long-term engagement strategy to introduce sustainable changes in the beneficiary countries, and is at the core of the UNODC mandate on firearms. In particular, the methodology of the Global Programme on Firearms for supporting legislative reform efforts provides for a flexible and progressively engaging and participatory process that involves diverse national and regional stakeholders. The process starts with a legislative assessment that includes, where possible, a national self-assessment report and then builds on the findings of country visits, interviews and desk reviews and analyses conducted by UNODC experts, resulting in tailor-made support.

35. UNODC has continued to provide legislative advice and assistance to Member States that are considering becoming a party to the Firearms Protocol. During the reporting period, the Office assisted national authorities in Bolivia (Plurinational State of), Chad and the Niger in their accession process and conducted awareness-raising activities with policymakers and members of parliaments of these countries. UNODC also provided tailored comments and legislative advice on specific transposition questions to France, Germany and Japan. Those three countries reported being in the process of acceding to the Protocol. Moreover, UNODC participated in a pre-accession workshop on the Organized Crime Convention and its Protocols in Vienna for Papua New Guinea, Solomon Islands and Tuvalu in May 2018.

36. UNODC also continued to assist and advise Burkina Faso, Chad, Mali and the Niger in revising and amending their national firearms legislation by first drafting reports on gaps in existing legislation and later convening legal drafting workshops and facilitating the preparation of draft bills on firearms. Legislative drafting workshops with mixed groups of national legal experts and drafters including parliamentarians and representatives from civil society were held in Mali and the Niger in August 2016; in Burkina Faso in September 2016 and March 2017; and in Chad in November 2016, November 2017 and May 2018. In order to take advantage of synergies, UNODC has cooperated in those efforts with the United Nations Regional Centre for Peace and Disarmament in Africa, particularly in Burkina Faso and Mali. In June 2018, UNODC and the members of the drafting committee, at a

high-level ceremony, submitted the final draft law to the Minister of Interior of Chad, for submission to the Council of Ministers and subsequently the Parliament in the following weeks.

37. In June 2018, UNODC also cooperated with Expertise France to review and comment on a draft firearms law for Côte d'Ivoire to facilitate the comprehensive transposition of the Firearms Protocol and the Arms Trade Treaty. The Office will also re-initiate its cooperation on the draft firearms law of Senegal, which was developed with UNODC support in the period 2013–2014.

38. In addition, UNODC supported authorities of Mauritania in translating its new draft law on firearms from French into Arabic; the draft law had been developed with the support of UNODC.

39. In Panama, a joint firearms project is being implemented through the Regional Office for Central America and the Caribbean and the Global Programme on Firearms. In that context, UNODC is assisting national authorities in the review and drafting of a new firearms law through weekly meetings of a legal drafting committee composed of legal experts, policymakers and practitioners from competent entities of the State.

40. UNODC also organized a sensitization workshop for countries of the Gulf Cooperation Council on the international legal framework on firearms, in particular the Firearms Protocol. The event was held in Abu Dhabi in August 2016 and was aimed at providing practitioners with an introduction to the Firearms Protocol and related international instruments.

41. UNODC further organized a regional legislative harmonization workshop for transposing the Firearms Protocol into national legislation, for countries of the Maghreb, held in Tunis in July 2017. Prior to the workshop, a preliminary assessment and comparative analysis of firearms legislation in States of the subregion was prepared by UNODC and presented to participants.

42. UNODC also provided tailored legislative advice to national authorities in Bosnia and Herzegovina and in Serbia on the implementation of the import marking requirements under the Firearms Protocol. As a result, both countries incorporated the requirements into their draft laws on firearms.

43. As part of the European Union action plan against illicit trafficking in and use of firearms and explosives, UNODC participated in a series of high-level policy dialogue meetings on firearms legislation between the European Commission and countries of the Middle East and North Africa region (held in Tunisia in July 2017 and in Jordan and Lebanon in December 2017).

2. Technical support for the implementation of preventive and security measures to prevent the illicit manufacturing and theft of and trafficking in firearms, their parts and components and ammunition

44. During the reporting period, UNODC continued to provide technical support to Member States in the implementation of preventive and security measures under the Firearms Protocol, in particular for marking and record-keeping, the storage of seized and confiscated firearms and ammunition, and the collection, management and disposal of illicit firearms.

(a) Marking and record-keeping of firearms

45. UNODC maintained its support to the marking and registration of firearms in West Africa and the Sahel region and organized a refresher capacity-building session on the use of registries in Mali in December 2017. By May 2018, around 50,000 firearms had been marked and registered in Burkina Faso, Mali, the Niger, Senegal and Togo. UNODC also provided small grants to the national commissions of Burkina Faso, the Niger and Senegal to further support the marking, registration and destruction activities in the wider national territory. The pick-up vehicles purchased during the reporting period for Senegal and Chad have arrived and are currently being

used to support arms collection activities and the transportation of the mobile marking machines to other areas of the country.

46. Following a study visit to the Vienna Proof House in October 2017 by delegates of Bosnia and Herzegovina and Serbia organized by UNODC, the Office also organized workshops to support these countries' respective national processes of developing and implementing operating procedures for marking imported firearms in December 2017.

47. The Global Programme on Firearms, in cooperation with the UNODC Regional Office for Central America and the Caribbean in Panama, continued to work with the Information and Technology Service of UNODC on the development of a comprehensive record-keeping system on firearms, their parts and components and ammunition. The system is to be operationalized first in Panama, as part of that country's national project on firearms which started in June 2017 and later in Bolivia (Plurinational State of) and the Niger, subject to additional funding. It is then to be provided to other requesting countries and customized to their specific needs.

(b) Physical security and stockpile management

48. The proper storage and management of firearms poses a particular challenge for many countries that face thefts and leakages from their storage facilities, as well as in relation to securing the chain of custody that is required to produce valid evidence in court.

(c) Collection, management and disposal of firearms

49. Arms collection campaigns form part of national efforts to reduce the uncontrolled proliferation of firearms and reduce the risk of their theft and diversion into illicit markets.

50. During the reporting period, UNODC worked closely with national authorities and civil society organizations of Burkina Faso, the Niger and Senegal in the development of awareness-raising campaigns to collect illicit firearms, with messages tailored to specific population groups, including young men, women and youth in general. Voluntary arms surrender campaigns were launched in February and March 2018 in the three above-mentioned countries and were supported by high-level authorities, resulting in the voluntary surrender of almost 700 firearms within the first two months of the campaigns. Follow-up support will focus on the identification, recording and destruction of illicit firearms, as well as on the procurement of relevant equipment and training on its use.

51. In August 2016, UNODC took part in and provided technical advice for the destruction in Argentina of 25,000 illicit firearms linked to crime cases. The destruction, organized by the Government of Argentina, targeted illicit firearms stored in court deposits in the provinces of Buenos Aires, Mendoza and Santa Fe.

52. In Bolivia (Plurinational State of) and Panama, part of the integrated assistance package agreed with the respective Governments includes the record-keeping system, as well as the design, development and implementation of a national arms surrender campaign and a simultaneous arms registration campaign, with related capacity-building, awareness-raising and technical support.

3. Strengthening criminal justice responses to detect, investigate and prosecute the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition

53. Detecting illicit trafficking movements, dismantling the criminal networks or groups involved in trafficking in firearms or other serious crimes, and bringing the perpetrators to justice are essential preconditions for reducing illicit arms flows and combating all forms of organized crime, as expressed in target 16.4 of the Sustainable Development Goals. In practice, however, criminal investigations of firearms trafficking offences are rare and difficult to carry out.

54. During the reporting period, UNODC continued to deliver specialized training and capacity-building courses on the investigation and prosecution of cases of trafficking in firearms and its links to organized crime and related matters. The training sessions carried out in Algeria (November 2017), Burkina Faso (March 2017), Chad (October 2016, with a session planned for July 2018), Mali (November 2016), Mauritania (November 2016) and the Niger (December 2016) strengthened the capacity of almost 200 law enforcement practitioners from police, gendarmerie and customs, as well as judges and prosecutors, on the identification and classification of firearms, measures to prevent their trafficking, crime scene management, intelligence management, investigation techniques and firearms tracing, international cooperation and the exchange of information. Representatives of national offices of the International Criminal Police Organization (INTERPOL) took part in some of the training sessions, and the training in Mali was supported by trainers from the United Nations Multidimensional Integrated Stabilization Mission in Mali.

55. UNODC, in cooperation with the Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina and, in one instance, also with the World Customs Organization and the skills academy of the United Kingdom Border Force, trained customs and law enforcement officers from Bosnia and Herzegovina, including from the regional centres in Tuzla, Mostar, Banja Luka and Sarajevo, as well as members of the mobile customs units, on the detection of trafficking in firearms at land border crossing points. The training courses, held in November 2017 and June 2018, also contained practical exercises on detecting firearms during which the participants used training vehicles to gain hands-on experience in locating possible concealments of illicit firearms.

56. In addition, UNODC joined INTERPOL and the World Customs Organization in conceptualizing and implementing the different phases of a simultaneous law enforcement operation named TRIGGER III, which took place in Benin, Burkina Faso, Chad, Guinea, Mali, Mauritania, the Niger and Nigeria in November 2017, during which local authorities seized 130 firearms, including 49 Kalashnikov-type weapons and several rounds of ammunition. The operation led to the initiation of 50 tracing requests, which was an encouraging improvement over previous operations. UNODC placed an emphasis on promoting a coherent criminal justice response and further investigation of identified cases of trafficking in firearms and supported the engagement of prosecutors of the participating Member States in the operation. In 2018, UNODC started supporting a similar police operation in countries of the Middle East and North Africa (TRIGGER IV), in which it will also contribute to facilitate the participation of representatives, in addition to providing capacity-building support.

57. Similarly, in November 2017, UNODC contributed to the European Police Office (Europol) "Joint Action Day Calibre", a police operation to counter trafficking in firearms in the Western Balkans. UNODC also participated in the training session led by the European Multidisciplinary Platform against Criminal Threats (EMPACT) on online firearms investigations, held in Madrid in June 2018.

58. In December 2017, UNODC and the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) of the United Nations Development Programme (UNDP) held a training session in Belgrade on the identification and tracing of firearms and ammunition for police officers from Bosnia and Herzegovina, Montenegro and Serbia.

59. Representatives of the Global Programme on Firearms participated in a conference organized within the framework of "I.E. TrainNet", an initiative of the UNODC Global Programme on Building Effective Networks against Transnational Organized Crime, hosted by the National Security Commission, the Federal Police (in its capacity as President of the American Police Community) and the Ministry of Foreign Affairs of Mexico, held in Mexico City in August 2016. The conference brought together 200 law enforcement officers and training experts from more than 40 countries and organizations. The fifth session of the conference was dedicated to

training initiatives focused on monitoring, criminalization and investigation of firearms trafficking.

4. Fostering and promoting international cooperation and information exchange to address the transnational dimension of trafficking in illicit firearms and related issues

60. International cooperation in criminal matters is a fundamental part of the fight against illicit trafficking in firearms, including the regular sharing of information and good practices among practitioners, which is explicitly encouraged in article 12 of the Protocol.

61. During the reporting period, UNODC promoted the creation of an informal group of criminal justice practitioners dealing with firearms matters, referred to as the "Community of Practitioners". The initiative is aimed at promoting better interaction among the different communities and fostering regional and interregional cooperation to counter trafficking in firearms and its links to other forms of organized crime and serious crimes, including terrorism, through the regular exchange of information, case-based experiences and good practices among criminal justice, law enforcement and firearms control practitioners.

62. Meetings of the Community of Practitioners were held in Algiers and Belgrade in December 2017, with more than 60 participants from Algeria, Mali, Morocco, Mauritania and the Niger (the Algiers meeting) and Albania, Bosnia and Herzegovina, Croatia, Montenegro, Serbia and the former Yugoslav Republic of Macedonia (the Belgrade meeting). A third meeting of the Community of Practitioners took place in Vienna in May 2018, convening prosecutors from countries of the Western Balkans to identify measures to increase the number of prosecuted cases on firearms trafficking in the region. A similar event is to be held in Niamey, the Niger, in July 2018. The three meetings also complement the development of the digest of illicit firearms cases.

63. Subject to the availability of funding, UNODC would like to organize cross-regional meetings among members of the Community of Practitioners for a greater cross-fertilization of experiences among different regions and to use and build on existing platforms of criminal justice practitioners to address firearms issues with a larger audience.

5. Mapping and monitoring flows of illicit firearms by means of global data collection and analysis to enhance the intelligence picture of trafficking in firearms and its criminal context

64. UNODC continued to promote the generation, collection and analysis of firearms data in order to identify firearms trafficking trends and patterns and as an evidence base for decision-making at the policy and operational levels.

65. In 2016, UNODC began updating the methodology used for the *UNODC Study on Firearms 2015*, pursuant to the mandate contained in Conference resolution 8/3.

66. In September 2016, the Global Programme on Firearms and the Research and Trend Analysis Branch of UNODC (Division for Policy Analysis and Public Affairs) organized an informal expert group meeting in Vienna, with the participation of a wide range of governmental representatives from 15 Member States, national and international experts, five international organizations and five non-governmental organizations. The purpose of the meeting was to discuss lessons learned from past and existing data collection efforts at the national, regional and international levels, and revise the UNODC illicit arms flows questionnaire.

67. Following another round of informal consultations with selected firearms and statistical experts in March 2017, UNODC launched a pilot test exercise of the revised

illicit arms flows questionnaire.[5] The responses to the exercise as well as the feedback received during three regional meetings on firearms data collection and analysis were incorporated into the final version of the questionnaire, which was launched on 14 June 2018.[6]

68. Further, with a view to enhancing national and international data collection and analysis efforts to monitor illicit firearms trafficking flows and to promote more effective international cooperation and information exchange among practitioners, UNODC organized a series of regional meetings in Addis Ababa (September 2017), in Panama City (November 2017) and Brussels (January 2018). In total, more than 120 participants from more than 50 countries, as well as regional and non-governmental organizations concerned, participated in and contributed to the meetings, providing comments and feedback on the pilot questionnaire and engaging in practical exercises on completing it. A fourth meeting is to be held in Vienna in July 2018 for the Balkan countries, with experts from other Eastern and Western European countries, and a fifth meeting is planned to be held for countries of the Middle East and North Africa in the second semester of 2018.

69. Through its "champion country initiative", UNODC has also started to work with selected countries and subregions with the aim of highlighting through national or regional analysis specific aspects of the firearms trafficking problem and to showcase through replicable good practices ways to stimulate and encourage the generation, analysis and use of firearms-related data in other countries and regions.

70. UNODC is seeking additional funding to provide other countries and regions, in particular, Asia and the Pacific and the Caribbean, technical advice and assistance to participating countries and their designated focal points in the generation, collection and analysis of firearms-related data.

D. Coordination with other relevant international and regional organizations as well as with civil society and the private sector

1. Cooperation within the United Nations

71. UNODC has continued to contribute to the work of the United Nations Coordinating Action on Small Arms (CASA), the system-wide coordination platform established by the Secretary-General to promote the exchange of information and coordination on ongoing initiatives and to support the Organization in "delivering as one" on the issue of small arms. In May 2018, CASA principals met to discuss the Secretary-General's new Agenda for Disarmament, including the establishment of a trust fund facility and the contribution of each CASA member, through a joint workplan.

72. In May 2017, UNODC contributed to an open briefing for Member States on preventing terrorists from acquiring weapons, organized by the Counter-Terrorism Committee Executive Directorate in New York.

73. At the field level, UNODC continues to coordinate and cooperate its activities with relevant United Nations agencies and offices, such as UNDP/SEESAC, the Office for Disarmament Affairs and its regional centres and the Department of Peacekeeping Operations.

74. In December 2016, UNODC participated in the sixth meeting of national commissions on small arms and light weapons of the member countries of SEESAC, an initiative of UNDP and other organizations, held in Budva, Montenegro.

[5] The pilot exercise was conducted with 39 voluntary countries, of which 12 provided written feedback. Several other countries provided their comments at regional meetings.

[6] The illicit arms flows questionnaire can be downloaded at www.unodc.org/unodc/en/data-and-analysis/statistics-crime-iafq.html.

75. The Office supported the development of the roadmap for a sustainable solution to the illegal possession, misuse and trafficking of small arms and light weapons and their ammunition in the Western Balkans by 2024 by participating in three coordination meetings, in Podgorica, Belgrade and Tirana. UNODC also provided substantive inputs for the formulations of the goals and key performance indicators of the roadmap. The roadmap, to be officially adopted during the Western Balkans summit to be held in London in July 2018, will become the foundation for an integrated approach on tackling issues related to small arms and light weapons in the subregion.

76. Representatives of UNODC participated in a seminar for member States of the Association of Southeast Asian Nations and Timor-Leste on illicit trafficking in and diversion of small arms and light weapons organized by the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, held in Phnom Penh in December 2017, and continued to coordinate its technical assistance activities in the Sahel region with the United Nations Regional Centre for Peace and Disarmament in Africa.

2. Cooperation with other international and regional organizations

77. In November 2016, UNODC participated in the third Illicit Arms Records and Tracing Management System (iARMS) working group meeting, organized by INTERPOL in Lyon, France. UNODC has through its various project activities supported and encouraged the use of iARMS by Member States. During the reporting period, representatives of the national central bureaux of INTERPOL took part in training activities in West Africa and facilitated some of the training sessions.

78. With a focus on the African region, in March 2017, UNODC participated in a second meeting jointly organized by the African Union and Germany to promote cooperation and coordination in the area of small arms physical security and stockpile management in the Sahel region. UNODC also took part in the second meeting of the African Union-Germany coordination platform, held in Addis Ababa in October 2017, which brought together representatives of the African Union, African subregional organizations, United Nations agencies and other implementing agencies. The main objective of the meeting was to discuss the African Union initiative on silencing the guns, a continental plan of action on the control of illicit small arms and light weapons. UNODC provided substantive advice on activities that could be carried out in support of the plan and to which it could contribute, particularly in relation to the need to strengthen the criminal justice response as a means of improving the fight against trafficking in illicit firearms.

79. Additionally, UNODC ensured cooperation with other regional organizations mandated to work on firearms issues, such as the Economic Community of West African States and the Economic Community of Central African States, representatives of which participated in the regional meeting on data collection for Africa, as well as the Arab Maghreb Union, representatives of which participated in a regional legislative workshop for Maghreb countries.

80. UNODC has had regular contact with the European Union, in particular with the European Commission's Firearms Task Force and the European Firearms Experts Group, to address the need to strengthen the legislative frameworks on firearms, enhance national and international data collection and analysis of the illicit trafficking flows, and reinforce the criminal justice response to detect and prosecute illicit firearms trafficking and its links to organized crime and terrorism.

81. In October 2016, UNODC participated in a seminar on multidisciplinary approaches in the fight against firearms trafficking in the European Union, organized by the Firearms Driver of EMPACT in Alicante, Spain.

82. UNODC cooperated with the Southeast European Law Enforcement Centre and participated in a regional workshop with a focus on the links between firearms trafficking and cybercrime held in Tirana in April 2018. UNODC also participated in

the regional steering group meeting on small arms and light weapons, organized by UNDP/SEESAC, held in Belgrade in March 2018.

83. UNODC supported the training course on firearms in the Western Balkans, organized by the European Union Agency for Law Enforcement Training and held in Zagreb, focusing on the enhancement of police and judicial cooperation in the Western Balkans.

84. In August 2016, the Gulf Cooperation Council supported the organization of a UNODC training workshop for Member States on the international legal framework related to illicit trafficking in firearms and the Firearms Protocol, held in Abu Dhabi.

3. Cooperation with civil society and the private sector

85. Participation and cooperation with civil society is a cross-cutting element of the Global Programme on Firearms. UNODC has actively engaged with civil society organizations at various levels, from legislative development to training activities, through the development of a training course on civil society participation and oversight to the collaboration in the implementation of advocacy materials. During the period under review, civil society organizations participated in training workshops organized by the Office in Chad, Mali, Mauritania and the Niger.

86. In addition to events mentioned above, UNODC participated in and contributed to meetings and seminars organized by, inter alia, the Centre for the Reduction of Firearms Crime, Trafficking and Terrorism of the University of Northampton, United Kingdom (February 2018), the Observatory on Organized Crime of the University of Milan, Italy (February 2018) and several meetings organized by the Parliamentary Forum on Small Arms and Light Weapons, as part of its projects funded by the United Nations Trust Facility Supporting Cooperation on Arms Regulation, held in Panama City (May 2017), Dakar (June 2017), Johannesburg, South Africa (February 2018) and Jakarta (May 2018).

87. UNODC remains engaged with key organizations working on the issue of illicit trafficking in firearms, such as Conflict Armament Research, the Bonn International Centre for Conversion, the Geneva Centre for Security Policy, the Institute for Security Studies, the Joint Research Centre on Transnational Crime (Transcrime), the Mines Advisory Group, RAND Europe, Small Arms Survey and the West African Action Network on Small Arms and Light Weapons.

IV. Priority areas for further action

88. UNODC, through its Global Programme on Firearms, will continue to promote and implement an integrated approach to prevent and fight the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, based on its five-pillar approach.

89. Given that firearms are often a cross-cutting element and common denominator of organized crime and terrorism, the Office is developing a strategy to address firearms trafficking particularly in the context of these crimes.

90. Focused activities are planned to ensure greater gender mainstreaming of the progamme and its curriculum, and to promote specific strategies in pilot countries.

91. The Office will also focus on promoting a proactive, investigative approach to firearms trafficking for firearms seized at borders and in crime scenes, fostering the detection, investigation and prosecution of those crimes and the overall generation, collection and analysis of firearms data that can serve as an evidence base for decision-making at the policy and operational levels.

V. Conclusions

92. The illicit manufacturing of and trafficking in firearms and their links to organized crime, terrorism and other serious crimes remains a pressing problem in many countries and regions.

93. UNODC has continued to promote the ratification and implementation of the Firearms Protocol and to assist Member States in its implementation, building on its five pillars — legislation, technical support, criminal justice response, international cooperation, and data collection and analysis — and is committed to continuing its efforts to work collaboratively with Member States, international and regional organizations, civil society, academia and the private industry in their common endeavour.

94. However, sustainable and predictable funds are required in order to ensure the presence of specialized staff and the continuation of the activities of UNODC and to allow it to respond to the growing technical assistance requests from different countries and regions.

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Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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Item 2 (b) of the provisional agenda*
Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children

Reports on the meetings of the Working Group on Trafficking in Persons held in Vienna from 6 to 8 September 2017 and on 2 and 3 July 2018

Note by the Secretariat

1. In its decision 4/4, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime acknowledged that the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention on Transnational Organized Crime, was the principal legally binding global instrument to combat trafficking in persons. In that decision, the Conference decided to establish an open-ended interim working group on trafficking in persons.

2. In its resolution 7/1 on strengthening the implementation of the Organized Crime Convention and the Protocols thereto, the Conference decided, inter alia, that the Working Group on Trafficking in Persons would be a constant element of the Conference, forwarding its reports and recommendations to the Conference.

3. The Working Group on Trafficking in Persons held its seventh meeting from 6 to 8 September 2017 and its eighth meeting on 2 and 3 July 2018. In accordance with resolution 7/1, the reports on those meetings (CTOC/COP/WG.4/2017/4 and CTOC/COP/WG.4/2018/3) will be made available to the Conference at its ninth session.

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Reports on the meetings of the Working Group on the Smuggling of Migrants held in Vienna from 11 to 13 September 2017 and on 4 and 5 July 2018

Note by the Secretariat

1. Pursuant to resolution 5/3 of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, an open-ended intergovernmental interim working group on the smuggling of migrants was established to advise and assist the Conference in the implementation of its mandate with regard to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime.

2. In its resolution 7/1 on strengthening the implementation of the Organized Crime Convention and the Protocols thereto, the Conference decided, inter alia, that the Working Group on the Smuggling of Migrants would be a constant element of the Conference, forwarding its reports and recommendations to the Conference.

3. The Working Group on the Smuggling of Migrants held its fourth meeting from 11 to 13 September 2017 and its fifth meeting on 4 and 5 July 2018. In accordance with resolution 7/1, the reports on those meetings (CTOC/COP/WG.7/2017/5 and CTOC/COP/WG.7/2018/3) will be made available to the Conference at its ninth session.

* CTOC/COP/2018/1.

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United Nations CTOC/COP/2018/7

Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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24 May 2018

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Ninth session
Vienna, 15–19 October 2018
Item 2 (a) of the provisional agenda*
Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto: United Nations Convention against Transnational Organized Crime

Reports on the meetings for the purpose of defining the specific procedures and rules for the functioning of the review mechanism for the United Nations Convention against Transnational Organized Crime and the Protocols thereto, held in Vienna from 24 to 26 April 2017, from 30 October to 1 November 2017, and from 21 to 23 March 2018

Note by the Secretariat

1. In its resolution 8/2, entitled "Mechanism for the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto", the Conference of the Parties to the United Nations Convention against Transnational Organized Crime decided to continue the process of establishing the mechanism for the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto based on the recommendations contained in the report on the intergovernmental meeting to explore all options regarding an appropriate and effective review mechanism for the United Nations Convention against Transnational Organized Crime and the Protocols thereto, held in Vienna on 6 and 7 June 2016.

2. Also in its resolution 8/2, the Conference requested the United Nations Office on Drugs and Crime to convene, within existing resources from the regular budget and without prejudice to other mandated activities, at least one open-ended intergovernmental meeting, with interpretation, for the purpose of defining the specific procedures and rules for the functioning of the review mechanism, and invited States parties to remain engaged in the process, including during the intersessional period.

3. Three meetings for the purpose of defining the specific procedures and rules were held in Vienna: from 24 to 26 April 2017, from 30 October to 1 November 2017, and from 21 to 23 March 2018. The reports on those meetings (CTOC/COP/WG.9/2017/4, CTOC/COP/WG.9/2017/6 and CTOC/COP/WG.9/2018/2) will be made available to the Conference at its ninth session.

* CTOC/COP/2018/1.

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Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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Item 2 (d) of the provisional agenda*
Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto: Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition

Reports on the meetings of the Working Group on Firearms held in Vienna from 8 to 10 May 2017 and on 2 and 3 May 2018

Note by the Secretariat

1. In its resolution 5/4, entitled "Illicit manufacturing of and trafficking in firearms, their parts and components and ammunition", the Conference of the Parties to the United Nations Convention against Transnational Organized Crime decided to establish an open-ended intergovernmental working group on firearms to advise and assist the Conference in the implementation of its mandate with regard to the Firearms Protocol.

2. In its resolution 7/1 on strengthening the implementation of the United Nations Convention against Organized Crime and the Protocols thereto, the Conference decided, inter alia, that the Working Group on Firearms would be a constant element of the Conference, forwarding its reports and recommendations to the Conference.

3. The Working Group on Firearms held its fifth meeting from 8 to 10 May 2017 and its sixth meeting on 2 and 3 May 2018. In accordance with resolution 7/1, the reports on those meetings (CTOC/COP/WG.6/2017/4 and CTOC/COP/WG.6/2018/4) will be made available to the Conference at its ninth session.

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Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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Item 4 of the provisional agenda*
International cooperation, with particular emphasis on extradition, mutual legal assistance and international cooperation for the purpose of confiscation, and the establishment and strengthening of central authorities

Reports on the meetings of the Working Group on International Cooperation and the Working Group of Government Experts on Technical Assistance held in Vienna from 9 to 13 October 2017 and from 28 to 31 May 2018

Note by the Secretariat

1. The Working Group of Government Experts on Technical Assistance was established pursuant to decision 2/6 of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime. Moreover, in its decision 3/2, the Conference decided that an open-ended working group on international cooperation would be a constant element of the Conference.

2. In its resolution 7/1 on strengthening the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the Conference, inter alia, encouraged the Working Group on International Cooperation and the Working Group of Government Experts on Technical Assistance to consider meeting on an annual basis, as needed, and to hold their meetings consecutively, in order to ensure the effective use of resources.

3. The Working Group on International Cooperation and the Working Group of Government Experts on Technical Assistance held back-to-back meetings from 9 to 13 October 2017 and from 28 to 31 May 2018. The joint reports of those meetings (CTOC/COP/WG.2/2017/4-CTOC/COP/WG.3/2017/4 and CTOC/COP/WG.2/2018/3-CTOC/COP/WG.3/2018/3) will be made available to the Conference at its ninth session.

* CTOC/COP/2018/1.

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Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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International cooperation, with particular emphasis on extradition, mutual legal assistance and international cooperation for the purpose of confiscation, and the establishment and strengthening of central authorities

Activities of the United Nations Office on Drugs and Crime to promote the implementation of the provisions on international cooperation in the United Nations Convention against Transnational Organized Crime

Report of the Secretariat

I. Introduction

1. International cooperation has a prominent place in the context of the United Nations Convention against Transnational Organized Crime. In addition to identifying, in its article 1, international cooperation to combat transnational organized crime as one of its purposes, the Convention provides in detail for a wide array of international cooperation modalities, such as extradition, mutual legal assistance and cooperation for purposes of confiscation, as well as law enforcement cooperation, joint investigations and cooperation in the use of special investigative techniques. The international cooperation provisions of the Convention are comprehensive and support States parties' efforts to develop appropriate and effective criminal justice and law enforcement responses to transnational organized crime. Article 18 of the Convention, on mutual legal assistance, is an example of what could be called a "'mini' mutual legal assistance treaty", as it can be used in the absence of bilateral or other multilateral treaties on the same issue. In addition, article 16 of the Convention sets a minimum standard for enhancing the efficiency of extradition mechanisms in relation to the offences covered by the Convention.

2. Over the past few years, the intergovernmental bodies dealing with the implementation of the Organized Crime Convention have devoted particular attention to the issue of using the Convention as a legal basis for international cooperation and to practical issues related to such use. The Working Group on International Cooperation, in particular, has consistently assisted the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in addressing practical aspects of implementation of the international cooperation provisions of the

* CTOC/COP/2018/1

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Convention, including issues relating to the role, functions and strengthening of central and/or other competent authorities active in the context of international cooperation in criminal matters.

3. Building on the deliberations and recommendations of the Working Group on International Cooperation, particularly at its sixth and seventh meetings, in October 2015 and in October 2016, the Conference adopted its resolution 8/1, entitled "Enhancing the effectiveness of central authorities in international cooperation in criminal matters to counter transnational organized crime". In that resolution, the Conference focused for the first time on a detailed overview of operational and practical aspects pertaining to the work of central authorities and called for concerted action to improve and facilitate that work as a key prerequisite of effective international cooperation. In the same resolution, the Conference requested the Secretariat to report to the Conference at its ninth session on its implementation.

4. The present report provides an overview of activities undertaken by the United Nations Office on Drugs and Crime (UNODC) since the eighth session of the Conference, in October 2016, to promote the implementation of the provisions on international cooperation in the Convention, in particular activities for the implementation of resolution 8/1.

II. Implementation of Conference resolution 8/1

A. Networking

1. Engagement among central authorities in person

5. In resolution 8/1, the Conference strongly encouraged States parties to facilitate engagement between and among central authorities in person, including through regional networks, or by virtual means, such as videoconferences, and highlighted the particular importance of engagement between central authorities in order to review the execution of requests, discuss impediments to mutual cooperation and identify solutions to those challenges. To support the efforts of States parties in that regard, UNODC held an expert group meeting in Vienna on 5 and 6 October 2017, which brought together experts from central authorities or practitioners dealing directly with the work of central authorities from Argentina, Austria, Cabo Verde, China, France, Jamaica, Kenya, Nigeria, Norway, Romania, Senegal, Singapore, Togo, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania and the United States of America. In addition, Algeria, Mexico, Saudi Arabia, Spain and the Russian Federation were represented by their permanent missions in Vienna. The participants shared experiences and good practices on such issues as the establishment, roles and functions of central authorities; inter-agency cooperation; the provision of information on legal requirements and procedures; case management and tracking; confidentiality of requests and communications; consultations practice; challenges relating to the translation of requests and supporting documentation; channels of transmission and electronic evidence; *de minimis* requests and grounds for refusal; use of the Organized Crime Convention as a legal basis for international cooperation; and capacity-building and resources.

6. In addition, an informal meeting of regional judicial cooperation networks was held in Vienna on 4 October 2017, with the participation of the Commonwealth Network of Contact Persons, the European Judicial Network, the Ibero-American Network for International Legal Cooperation, the Network of West African Central Authorities and Prosecutors against Organized Crime (WACAP), the Great Lakes Judicial Cooperation Network and the Network of Central Authorities and Prosecutors from Source, Transit and Destination Countries in Response to Transnational Organized Crime in Central Asia and the Southern Caucasus. Participants highlighted the benefits of greater collaboration, information-sharing and participation in each other's activities. It was agreed that an informal coordination mechanism would be established to ensure that the networks would meet at least once a year. In order to

organize such meetings in Vienna on a regular basis, or elsewhere as appropriate, financial resources are needed, and UNODC continues its fundraising efforts to that end.

2. Networking to combat transnational organized crime

7. UNODC continued to support WACAP, the Network of Central Authorities and Prosecutors from Source, Transit and Destination Countries in Response to Transnational Organized Crime in Central Asia and the Southern Caucasus and the Great Lakes Judicial Cooperation Network. The Great Lakes Judicial Cooperation Network, modelled on WACAP and other such networks, was launched in Khartoum on 1 and 2 November 2017 by the Office of the Special Envoy of the Secretary-General for the Great Lakes Region, together with the International Conference on the Great Lakes Region (ICGLR) and with the support of UNODC. It will be led by ICGLR and UNODC, with political support from the Office of the Special Envoy, and will cover 12 States (Angola, Burundi, Central African Republic, Congo, Democratic Republic of the Congo, Kenya, Rwanda, South Sudan, Sudan, Uganda, United Republic of Tanzania and Zambia).

8. UNODC also continued to support the WACAP train-the-trainer programme on international cooperation in criminal matters, aimed at facilitating the transfer of knowledge among peers. The train-the-trainer sessions were delivered to 333 prosecutors, judges, law enforcement officials and International Criminal Police Organization (INTERPOL) officers from Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, the Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, the Niger, Nigeria, Senegal and Togo.

9. WACAP cooperated with other programmes and networks to promote international cooperation in criminal matters and enhance the capacity of criminal justice practitioners to investigate and prosecute different forms of transnational organized crime. The UNODC programme on strengthening criminal investigation and criminal justice cooperation along the cocaine route in Latin America, the Caribbean and West Africa (CRIMJUST) and WACAP jointly organized a training session for the anti-drug agencies of Ghana and Nigeria to share good practices on the prosecution of drug trafficking cases and enhance cross-border cooperation, held from 26 to 28 September 2017.

10. Further, WACAP and the Asset Recovery Inter-Agency Network for West Africa held a joint meeting in Senegal from 24 to 26 October 2017, with the participation of more than 40 officials from the countries of the Economic Community of West African States (ECOWAS), as well as from Mauritania and Sao Tome and Principe and representatives of the ECOWAS Court of Justice and the ECOWAS Commission. The meeting's participants discussed the challenges of extradition within the ECOWAS region and obstacles encountered in the seizing, freezing, confiscation and management of criminal proceeds.

11. A regional cooperation workshop organized by the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants and WACAP on the topic of trafficking in persons and the smuggling of migrants was held in Vienna on 14 and 15 December 2017, attended by experts and WACAP contact points from Burkina Faso, Côte d'Ivoire, the Gambia, Ghana, Mali, the Niger, Nigeria and Senegal.

B. Tools to facilitate cooperation between central authorities

12. In resolution 8/1, the Conference encouraged States parties to make the fullest and most effective use of available technology to facilitate cooperation between central authorities, including online resources developed at the national level and relevant tools created by UNODC, such as the knowledge management portal known as Sharing Electronic Resources and Laws on Crime (SHERLOC) and the Mutual Legal Assistance Request Writer Tool, and to develop virtual networks between and

among central authorities and explore the feasibility of secure electronic communications.

13. In this regard, UNODC expanded the SHERLOC portal to include new databases and functionalities, including the addition of terrorism as an additional crime type, as well as the addition of a new database on strategies that offers information on strategic instruments, such as plans of actions and strategies, for the regional and domestic implementation of the Organized Crime Convention and the Protocols thereto.

14. From July 2017 to July 2018, SHERLOC was accessed by 237,703 users, with peaks of more than 1,000 users per day, indicating that the number of users is constantly rising. The 10 Member States with the largest number of SHERLOC users were, in order, the United States, India, Peru, Mexico, Guatemala, the Plurinational State of Bolivia, Argentina, Colombia, the Philippines and the United Kingdom.

15. Global access and multilingualism are important goals for SHERLOC, and to that end, the portal has been translated for use in all of the six official languages of the United Nations. SHERLOC is also adaptable to all devices, enabling users to access it through mobile technologies.

16. The SHERLOC database on legislation currently contains more than 318 domestic legal provisions on extradition and 239 on mutual legal assistance, which are made available in one of the six official languages of the United Nations and can assist central and competent authorities to understand the legal framework of other cooperating countries. These laws also provide authorities with information relating to the legal basis for granting mutual legal assistance and extradition requests. Moreover, the database provides information on the type of assistance that could be granted in a specific country, such as for the purposes of seizure, confiscation or asset recovery, to facilitate the voluntary appearance of persons in the requesting State party, or for transmission of information, among other purposes. These resources can be accessed by navigating through the list of cross-cutting issues and selecting a category under "International cooperation".[1]

17. The case law database in SHERLOC can also be used for research purposes. This database currently hosts 54 cases of international cooperation for purposes of extradition, 32 cases of international cooperation for purposes of confiscation and asset recovery and 80 cases on mutual legal assistance. Additional cases illustrate specific and detailed aspects of international cooperation such as relating to the transfer of sentenced persons and the transfer of criminal proceedings, as well as international and regional law enforcement cooperation. In all of the cases contained in the database, international cooperation was requested and afforded in relation to one of the 15 crime types covered by SHERLOC. The cases can also be found by navigating through the list of cross-cutting issues and selecting the international cooperation category.[2]

18. The recently developed UNODC Treaty Database gives authorities an overview of the treaties to which the requested State is a party, so that requesting authorities know which treaties can be used as legal bases for purposes of international cooperation with a specific requested State. In June 2018, UNODC developed an additional section in the SHERLOC portal to collect all resources relating to the gathering and sharing of electronic evidence. In this section, users can access different legal information, such as laws, jurisprudence and a bibliography on this topic.

19. In addition, in May 2018, UNODC announced the online availability of the redeveloped version of the Mutual Legal Assistance Request Writer Tool, which assists criminal justice practitioners in expeditiously drafting requests for mutual legal assistance.[3] The redeveloped version of the tool has features on asset recovery and additional forms or means of international cooperation in criminal matters,

[1] Available at www.unodc.org/cld/v3/sherloc/legdb/#/crossCuttingIssues.

[2] Available at www.unodc.org/cld/v3/sherloc/cldb/index.html?lng=en#/cross-cutting.

[3] Available at www.unodc.org/mla/en/index.html.

including the transfer of criminal proceedings, videoconferences and, to the extent applicable, joint investigations to conduct controlled deliveries. The tool in its redeveloped version also contains a module on digital evidence which takes into account all pertinent developments in the field of international cooperation to combat cybercrime and covers the following forms of cooperation: expedited preservation of stored computer data, ensuring access to stored computer data, and real-time collection of traffic data.

20. The Mutual Legal Assistance Request Writer Tool will be linked to the UNODC directory of competent national authorities to enable the retrieval of contact information of competent foreign authorities for use in the preparation of requests for mutual legal assistance. It will also be linked to SHERLOC in order to provide practitioners with easy access to various types of continually updated information, including national guides, legal provisions relating to international cooperation in criminal matters and other supplementary resources.

21. Presentations on the redeveloped Mutual Legal Assistance Request Writer Tool were made at a number of events, including the twenty-second Annual Conference of the International Association of Prosecutors (Beijing, 10–15 September 2017), the meeting of the Criminal and Legal Affairs Subgroup of the Group of Eight Roma-Lyon Anti-Crime and Terrorism Group (3–5 October 2017) and the meeting of the Asia-Pacific Law Enforcement Network of the Organization for Economic Cooperation and Development (Republic of Korea, 15–17 November 2017).

22. UNODC also continued to manage and update the directory of competent national authorities under the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and the Organized Crime Convention, on the SHERLOC platform. Pursuant to the recommendations of the Working Group on International Cooperation at its sixth meeting, the 2016 issue of the directory presents this information in two separate parts. The current version of the directory also allows for the inclusion of channels and information for informal cooperation in criminal matters; information on relevant legislation, templates and guidelines and the legal bases for extradition and mutual legal assistance; and lists of applicable bilateral or multilateral agreements or arrangements. The directory also includes the information of contact points designated to facilitate international cooperation within the application of the Organized Crime Convention, for the purpose of preventing and combating trafficking in cultural property pursuant to General Assembly resolution 68/186. The directory is being expanded to include competent authorities for judicial cooperation in terrorism cases, in accordance with Security Council resolution 2322 (2016).

23. Since the eighth session of the Conference, UNODC has further restructured the section of its website on international cooperation.[4] The rationale for that initiative was to create a user-friendly, "one-stop" online environment for criminal justice practitioners, experts, representatives of Member States and other users, including members of the academia, seeking information on issues relating to international cooperation. In the new section of the website, information is made available and classified according to the following categories: intergovernmental bodies that play a key role in fostering international cooperation and take concrete action through resolutions and decisions; databases that provide easy access to laws, jurisprudence and other information on existing national practices and strategies and on international cooperation requirements; directories of competent national authorities designated in accordance with pertinent provisions of international conventions; legal and technical publications and tools dedicated to various areas of international cooperation; UNODC technical assistance activities with a focus on capacity-building for effective international cooperation in criminal matters; international cooperation networks as tools and platforms for exchanging information and expertise, building trust and creating contacts among practitioners; UNODC training courses and

[4] Available at www.unodc.org/unodc/en/international-cooperation/index.html.

e-learning modules; and news and updates on UNODC activities and events in the area of international cooperation in criminal matters.

C. Technical assistance

24. In its resolution 8/1, the Conference urged States parties, including in collaboration with UNODC, to promote training and technical assistance to facilitate international cooperation under the Convention and, in that regard, encouraged States parties to prioritize efforts to strengthen knowledge and capacity within their central authorities and other relevant institutions.

25. Through its Country Office in the Islamic Republic of Iran, UNODC supported and contributed substantively to a national meeting on international judicial cooperation with a focus on mutual legal assistance and extradition, held in Tabriz, Islamic Republic of Iran, on 3 and 4 May 2017. The meeting was organized in close coordination with the International Affairs Department of the Judiciary of the Islamic Republic of Iran with the participation of senior officers of judicial authorities and legal officials from Tehran, Tabriz and the East Azerbaijan Province. The discussions addressed practical and legal aspects of extradition and mutual legal assistance from both a national and an international perspective.

26. A regional workshop on the promotion of cooperation among the countries in West and Central Asia to better address the international transfer of sentenced persons, organized under subprogramme 2 of the UNODC regional programme for Afghanistan and neighbouring countries, was held in Bishkek on 7 and 8 September 2017.

27. Furthermore, over the past two years, representatives of UNODC have trained experts from 46 States on the Organized Crime Convention, resulting in a documented 33 per cent increase in the relevant knowledge among trainees. The Office also developed modules on combating organized crime for the Education for Justice (E4J) initiative. In that connection, UNODC organized two expert group meetings and initiated research on gender-related issues as related to organized crime, as well as on the nexus between organized crime and terrorism and the links between organized crime and cybercrime.

28. A regional training workshop to promote international judicial cooperation to counter the smuggling of migrants by sea affecting the Mediterranean Sea was held in Malta from 9 to 11 May 2017. It was the fourth in a series of transregional workshops on the smuggling of migrants by sea, bringing together prosecutors, judges and central authorities from countries of the Middle East and North Africa and the European Union, as well as from the European Commission, the Mediterranean Operation Sophia of the European Union Naval Force and UNODC, to share good practices, learn how to make better use of judicial cooperation in migrant smuggling cases and learn about the tools available for that purpose.

29. In addition, a subregional workshop to promote international cooperation in cases of migrant smuggling was held in Tunis from 25 to 27 September 2017. It brought together experts, including prosecutors, police officers and officials of competent Ministries from Tunisia, Egypt, Libya and the Sudan.

30. UNODC, with the financial support of the European Union, launched in June 2016 the global programme on strengthening criminal investigation and criminal justice cooperation along the cocaine route in Latin America, the Caribbean and West Africa for the period 2016–2020 (CRIMJUST). Within the framework of CRIMJUST, UNODC, in partnership with INTERPOL and Transparency International, is providing technical assistance to 12 countries (Argentina, Brazil, Bolivia (Plurinational State of), Cabo Verde, Colombia, Dominican Republic, Ecuador, Ghana, Guinea-Bissau, Nigeria, Panama and Peru). The main areas of assistance provided through the programme are the following: capacity-building; strengthening the capacities of criminal justice institutions (law enforcement authorities and the

judiciary) to detect, investigate, prosecute and adjudicate drug-trafficking and related organized crime cases; fostering regional and interregional cooperation between criminal justice institutions (law enforcement authorities and the judiciary); and enhancing the institutional integrity and accountability of criminal justice institutions. So far, the programme has implemented 80 capacity-building activities that had as an objective the strengthening of international judicial cooperation among central authorities as well as the streamlining of their working arrangements.

31. Upon receipt of formal requests for support, in August 2018 UNODC provided legislative assistance to the authorities of Burkina Faso and Mali and in relation to international cooperation in criminal matters, through the conduct of desk reviews and the provision of legal advisory services on the content of draft laws. UNODC also provided legislative assistance to the authorities of the Gambia through the conduct of a desk review of the provisions on international cooperation in criminal matters of the draft drug control legislation of that country.

D. Facilitate the timely execution of requests for assistance, including, where appropriate requests for electronic evidence

32. In its resolution 8/1, the Conference called upon States parties to staff, equip and empower central authorities so that those authorities played an effective coordinating role among various government agencies within the State party and with other States parties in order to ensure effective implementation of the Convention regarding international cooperation in criminal matters, and to help facilitate the timely execution of requests for assistance or cooperation, including, where appropriate, requests for electronic evidence.

33. UNODC continued to mainstream the topic of electronic evidence into existing tools, as well as tools still under development, on international cooperation in criminal matters, in line with the recommendation made by the Working Group on International Cooperation at its meeting in October 2015, as endorsed by the Conference in resolution 8/1.

34. At its eighth meeting, in October 2017, the Working Group on International Cooperation took stock of developments, good practices, challenges encountered and lessons learned in the area of international cooperation involving electronic evidence, with a particular focus on the above-mentioned practical issues. The Working Group also discussed technical assistance and training-related issues, including the work of the Secretariat in developing and delivering train-the-trainer courses on cryptocurrency investigations.

35. The Working Group also invited States parties that have not done so to consider amending their legislation to define clear rules of admissibility of evidence in court, as well as requirements for the conduct of special investigative techniques, for consideration and application in cases of electronic evidence obtained in foreign jurisdictions, and to revise, where appropriate, their existing procedures for mutual legal assistance to adapt them to requests for obtaining and handling electronic evidence; and to build or enhance effective networks for information-sharing for the purpose of obtaining electronic evidence.

36. UNODC prepared the documentation and provided organizational and substantive support for the thematic discussion on criminal justice responses to prevent and counter cybercrime in all its forms, including through the strengthening of cooperation at the national and international levels, held on 15 May 2018 during the twenty-seventh session of the Commission on Crime Prevention and Criminal Justice. As noted in the guide for the thematic discussion, prepared by UNODC, international cooperation to combat cybercrime represents an increasing challenge for criminal justice and law enforcement authorities and, due to the volatile nature of electronic evidence, it requires timely responses, including the preservation and production of data by service providers, and the ability to request specialized investigative action. Challenges encountered, in that regard, include delays in the

response that often exceed the data retention period and may enable perpetrators to permanently destroy key electronic evidence; a lack of commitment and flexibility on the part of the requested authority; whether the requested authority provides the evidence in a form that can be used in criminal proceedings; and differences in the definitions of criminal offences in cooperating States.

37. The Crime Commission also considered possible ways of facilitating international cooperation in relation to cybercrime, such as expediting mutual legal assistance processes by, for example, differentiating between the types of data sought; establishing separate cybercrime units within central authorities; monitoring and reviewing casework practices in matters of mutual legal assistance for responsiveness and efficiency, including through keeping statistics of requests for mutual legal assistance involving electronic evidence; more frequent use of police-to-police cooperation as a useful supplement to mutual legal assistance modalities to ensure timely responses to urgent requests for assistance; focused and more intensive training to enhance mutual legal assistance and police-to-police and other forms of international cooperation on cybercrime and electronic evidence; enhanced sharing of information and experience among 24/7 networks of contact points; and allocating resources at the level of national authorities entrusted with the task of executing requests for mutual legal assistance, and enhancing their coordination with the central authorities for timely responses.

38. UNODC also continued to support the work of the Expert Group to Conduct a Comprehensive Study on Cybercrime, and the responses to it by Member States, the international community and the private sector; the Expert Group is the only platform within the United Nations system that focuses on the exchange of information with a view to examining options to strengthen existing national and international legal or other responses to cybercrime and to propose new ones. UNODC serviced the fourth meeting of the Expert Group, held in Vienna from 3 to 5 April 2018. At the meeting, the Expert Group adopted the Chair's proposal for the workplan of the Expert Group for the period 2018–2021, which set out the topics and a timeline for the Expert Group for that period. At the fourth meeting, the Expert Group also examined the topics of "Legislation and frameworks", and "Criminalization". The topic of "International cooperation" will be examined in one of the subsequent meetings of the Expert Group. In accordance with the adopted workplan of the Expert Group, at the meetings in 2018, 2019 and 2020, the Rapporteur, with the necessary assistance of UNODC and on the basis of the discussions and deliberations, is tasked with preparing lists of preliminary conclusions and recommendations suggested by Member States, which should be precise and focus on strengthening practical responses to cybercrime. Also in accordance with the adopted workplan, the lists are to be included in the summary reports on the meetings of the Expert Group, as a compilation of suggestions made by Member States, for further discussion at a stock-taking meeting that will take place no later than 2021.

39. Moreover, UNODC and the Counter-Terrorism Committee Executive Directorate, in cooperation with the International Association of Prosecutors, jointly organized two expert group meetings in Vienna, on 12 and 13 February and 5 and 6 June 2018. The aim of the meetings was to establish the basis for the development of a practical guide for central authorities, prosecutors and investigators to facilitate the obtaining of electronic evidence from foreign jurisdictions in investigations related to counter-terrorism and cross-border organized crime. The meetings offered participants the opportunity to share information on domestic laws and guides, as well as examples of actual cases in which electronic evidence was obtained from communication service providers located in foreign jurisdictions. The release of the final version of the practical guide is scheduled for September 2018.

E. Support to the work of the Working Group on International Cooperation: scheduling and organization of meetings and thematic framework of deliberations

40. Two years ago, on the occasion of the tenth anniversary of the first meeting of the Working Group on International Cooperation, the Secretariat undertook to provide an overview of the mandates given and the work accomplished by the Working Group, as well as the recommendations and feedback that the Working Group had submitted to the Conference with a view to facilitating a more efficient implementation of the provisions of the Convention that govern international cooperation.[5]

41. Ten years after the Working Group on International Cooperation was established, the Conference, in its resolution 8/1, reaffirmed its decision 3/2 of 18 October 2006, in which it had decided that the Working Group on International Cooperation would be a constant element of the Conference, and requested UNODC to make the best possible use of existing resources in scheduling future meetings of the Working Group, including by coordinating with other international meetings.

42. Within the reporting period that followed the adoption of resolution 8/1, the practice of scheduling and organizing back-to-back meetings of the Working Group on International Cooperation and the Working Group of Government Experts on Technical Assistance was followed. Such back-to-back meetings were held in October 2017 and May 2018, including joint meetings to discuss the agenda item on the preparation of a questionnaire to review the implementation of the Organized Crime Convention, in accordance with Conference resolution 8/2. Thus, the Working Group on International Cooperation offered a platform for discussions on the text of a draft questionnaire to be used as an information-gathering tool as part of a mechanism for the review of the implementation of the Organized Crime Convention, including of its provisions on international cooperation, which is under consideration by States parties.

43. In addition, the Working Group continued to coordinate with other intergovernmental processes and meetings, in accordance with established practice. In that context, since 2012, there has been a discussion on potential synergies between the Working Group on International Cooperation and the intergovernmental expert meetings to enhance international cooperation under the United Nations Convention against Corruption. At the fourth meeting of the Working Group, in 2012, speakers noted that some coordination of the work of the two bodies could be beneficial. Moreover, the discussion addressed the commonalities of the two bodies and the levels of representation, the many cross-cutting issues arising from the two conventions and the fact that central authorities in many States deal with international cooperation requests under both conventions.

44. Against that background, the practice of holding the meetings of the two bodies back-to-back was followed in 2012 and 2014. On other occasions, within the reporting period, the two bodies met only a few days apart. In all cases, the Secretariat arranged for mutual updates and the sharing of the salient points of discussion in respective meetings to allow for better coordination and exchange of information.

45. With respect to the thematic framework of its work, the Working Group, having completed 10 years of work, recommended at its seventh meeting, in October 2016, that the Conference consider the development of a multi-year workplan with standing items and thematic discussions for the purpose of facilitating a structured and comprehensive dialogue on all aspects of the implementation of the international cooperation provisions of the Convention.[6] Since its seventh meeting, in 2016, the Working Group has made recommendations to the Conference on possible issues for

[5] CTOC/COP/WG.3/2016/2.

[6] CTOC/COP/WG.3/2016/2, para. 43 (b).

thematic discussions at future meetings, as reflected in the reports on those meetings.[7] Based on those recommendations, and in preparation for the meetings of the Working Group, the Secretariat prepared proposals for substantive topics for discussion for further consideration and endorsement by the extended Bureau of the Conference.

46. In view of the above, the Working Group has covered a wide range of discussion topics focusing on practical aspects of extradition proceedings: from good practices for bilateral consultations between central authorities, including preparation, case-tracking, training and participation, as well as consultations and sharing of information at different stages of the extradition process (also taking into account paragraph 10 of resolution 8/1), to challenges faced in expediting the extradition process. Moreover, the Working Group had the opportunity to consider for the first time, at its eighth meeting, in October 2017, the transfer of criminal proceedings as a separate form of international cooperation in criminal matters and thus contribute to gaining a better understanding of the implementation requirements of article 21 of the Organized Crime Convention. The consideration by the Working Group of these topics has expanded the initial scope of the Working Group's mandate, as its original mandate, under Conference decision 2/2, was to hold substantive discussions on practical issues pertaining to extradition, mutual legal assistance and international cooperation for the purpose of confiscation. In addition, the Working Group continued to consider developments in obtaining electronic evidence, as follow-up to its established practice.[8] Furthermore, on a cross-cutting basis and in line with the overall policy directions of resolution 8/1, the Working Group addressed issues pertaining to the role, functions and strengthening of central authorities in the context of international cooperation in criminal matters.

47. For discussing all the above-mentioned substantive themes, the Working Group followed various methodological approaches. It has been the Secretariat's consistent practice to prepare parliamentary documents to outline the substantive content of the topic under discussion.[9] Where necessary, topics of relevance (mainly in relation to updates on tools or other training material) were introduced through ad hoc presentations delivered by representatives of the Secretariat. Discussions under certain agenda items have been led by panellists identified in advance by the regional groups and notified to the extended Bureau of the Conference. The deliberations held during the meetings of the Working Group have also been enriched by presentations given by representatives from regional intergovernmental organizations sharing regional perspectives and good practices pertaining to international cooperation.

48. With respect to participation and attendance, the Conference, in its resolution 8/1, encouraged States parties to facilitate the active participation of central authorities in the relevant meetings of the Conference and its working groups, particularly the Working Group on International Cooperation, to share good practices and lessons learned with respect to international cooperation and to strengthen relationships among government experts, especially practitioners, and requested UNODC to schedule future meetings of the Working Group on International Cooperation to facilitate the participation of central authorities.

49. Seventy-two States parties participated in the seventh meeting of the Working Group on International Cooperation, which took place from 19 to 21 October 2016. Of those participants, 57 States parties sent experts from their capitals (amounting to 79 per cent of participating States parties), a high ratio that can explained in part by the fact that the Working Group's meeting was held in parallel with the eighth session of the Conference. However, as shown in the figure below, in subsequent meetings of the Working Group there was a decrease in the number and percentage of participating States that sent experts from their capitals. Thus, at the eighth meeting of the Working Group, held from 9 to 13 October 2017, 85 States parties participated, but only

[7] See CTOC/COP/WG.3/2016/4, para. 3, and CTOC/COP/WG.2/2017/4-CTOC/COP/WG.3/2017/4, para. 39.

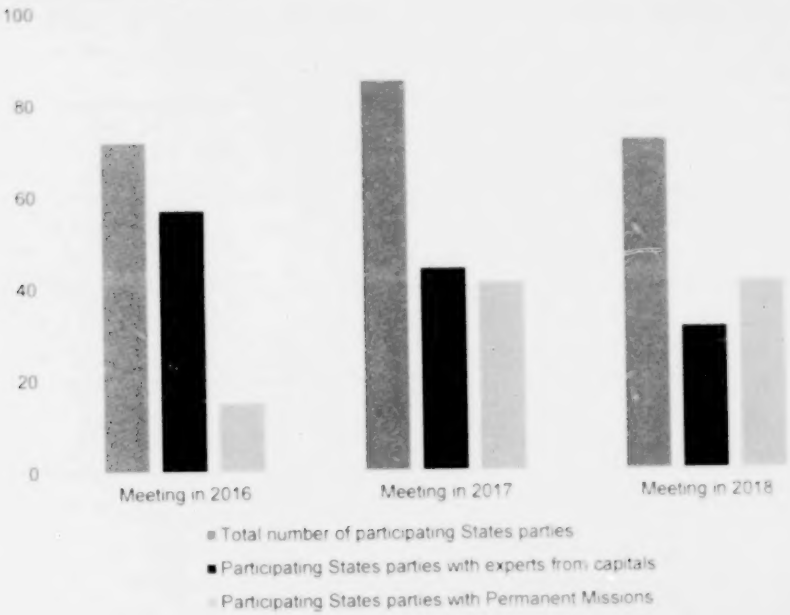
[8] CTOC/COP/WG.3/2015/4.

[9] See CTOC/COP/WG.3/2017/2, CTOC/COP/WG.3/2018/2 and CTOC/COP/WG.3/2018/5.

44 States brought experts from their capitals (52 per cent of participating States parties). At the ninth meeting of the Working Group, held from 28 to 31 May 2018, 72 States parties participated, but only 31 States were represented by experts from their capitals (42 per cent of participating States parties).

Figure

Number of States parties participating in the meetings of the Working Group on International Cooperation



III. Conclusions and recommendations

50. UNODC has consistently sought to assist States parties in implementing the provisions of the Organized Crime Convention on international cooperation. Additionally, UNODC has also sought to give priority to translating into practice the policy directions given by the Conference in this field, including, in particular, those policy directions contained in resolution 8/1.

51. To make further improvement, the Conference may wish to do the following:

(a) Continue to encourage States parties to make, consistent with their national legal frameworks, the widest possible use of the Organized Crime Convention, in accordance with paragraph 4 of resolution 8/1; and to provide UNODC with concrete cases in which the Convention was used as a legal basis for international cooperation, with a view to expanding the information already available in the knowledge management portal known as Sharing Electronic Resources and Laws and preparing a digest of cases that incorporates knowledge accumulated on this issue in the 15 years since the entry into force of the Convention, with the potential of regularly updating that digest;

(b) Request UNODC to undertake research activities for the elaboration of a series of discussion papers on themes and topics relating to international cooperation in criminal matters under the Convention, as identified by the Conference or its Working Group on International Cooperation, and, in doing so, invite States parties to provide extrabudgetary resources in support of that endeavour;